

NINETY-SECOND DAY

St. Paul, Minnesota, Wednesday, April 2, 1980

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

CALL OF THE SENATE

Mrs. Stokowski imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Dunn	Kleinbaum	Pillsbury	Stern
Bang	Engler	Knaak	Rued	Stokowski
Barrette	Frederick	Knoll	Schaaf	Strand
Benedict	Gearty	Knutson	Schmitz	Stumpf
Bernhagen	Gunderson	Laufenburger	Setzepfandt	Ulland, J.
Brataas	Hughes	Luther	Sieloff	Vega
Chmielewski	Humphrey	Menning	Sikorski	
Davies	Johnson	Ogdahl	Solon	
Dieterich	Kirchner	Omann	Staples	

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

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. Mr. Spear was excused from the Session of today until 12:30 o'clock p.m.

Messrs. Peterson, Johnson and Hanson were excused from the Session of today from 10:00 to 11:15 o'clock a.m.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476 at 10:00 a.m.:

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Lessard introduced—

S. F. No. 2421: A bill for an act relating to public use of private land; clarifying and altering landowners' liability in the recreational use of their land; amending Minnesota Statutes 1978, Sections 87.021, Subdivisions 2 and 3; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1978, Section 87.022.

Referred to the Committee on Judiciary.

Mr. Sieloff, Mrs. Knaak, Messrs. Rued, Setzepfandt and Schmitz introduced—

S. F. No. 2422: A bill for an act relating to no-fault automobile insurance; providing additional penalties for failure to insure under certain circumstances; amending Minnesota Statutes 1978, Section 65B.67, by adding a subdivision.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 31, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1980	Date Filed 1980
	593	394	March 31	March 31
	711	395	March 31	March 31
	924	396	March 31	March 31
	942	397	March 31	March 31
	1349	398	March 31	March 31
	1427	399	March 31	March 31
	1601	400	March 31	March 31

S. F. No.	H. F. No.	Section Laws Chapter No.	Date Approved 1980	Date Filed 1980
	1623	401	March 31	March 31
	1695	402	March 31	March 31
	1778	403	March 31	March 31
	1846	404	March 31	March 31
	1985	405	March 31	March 31
	2051	406	March 31	March 31
	2119	407	March 31	March 31
	2135	408	March 31	March 31
	2222	409	March 31	March 31
	2287	410	March 31	March 31
801		411	March 31	March 31
802		412	March 31	March 31
1584		413	March 31	March 31
1633		414	March 31	March 31
1674		415	March 31	March 31
1707		416	March 31	March 31
1709		417	March 31	March 31
1719		418	March 31	March 31
1807		419	March 31	March 31
1815		420	March 31	March 31
1847		421	March 31	March 31
1957		422	March 31	March 31
1963		423	March 31	March 31
1979		424	March 31	March 31
2102		425	March 31	March 31

Sincerely,
Joan Anderson Growe,
Secretary of State

April 1, 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. 1675, 1797 and 2168.

Sincerely yours,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1612.

H. F. No. 1612: A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves;

providing property tax relief; excepting the conveyance of certain land from restrictions on the filing and recording of conveyances; modifying the policy statement for municipal planning and development; appropriating money; amending Minnesota Statutes 1978, Sections 462.351; and 462.358, Subdivision 4.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Schreiber, Levi and Casserly have been appointed as such committee on the part of the House.

House File No. 1612 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. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1612, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1201.

H. F. No. 1201: A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

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

Carlson, D.; Kahn and Munger have been appointed as such committee on the part of the House.

House File No. 1201 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. Dunn moved that the Senate accede to the request of the

House for a Conference Committee on H. F. No. 1201, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1302.

H. F. No. 1302: A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Ellingson, Wynia and Blatz have been appointed as such committee on the part of the House.

House File No. 1302 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. Bang moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1302, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1534.

H. F. No. 1534: A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Weaver, Clawson and Reding have been appointed as such committee on the part of the House.

House File No. 1534 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. Strand moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1534, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 729.

H. F. No. 729: A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Greenfield, Clark and Drew have been appointed as such committee on the part of the House.

House File No. 729 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. Vega moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 729, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 874.

H. F. No. 874: A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Kroening, Casserly and Crandall have been appointed as such committee on the part of the House.

House File No. 874 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. Schaaf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 874, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2470.

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

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

Voss; Anderson, D.; Sieben, M.; Anderson, R., and Anderson, G. have been appointed as such committee on the part of the House.

House File No. 2470 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. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2470, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1662.

H. F. No. 1662: A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

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

Berglin, Minne and Laidig have been appointed as such committee on the part of the House.

House File No. 1662 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

Mrs. Staples moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1662, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1731.

H. F. No. 1731: A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Niehaus, Pleasant and Rodriguez have been appointed as such committee on the part of the House.

House File No. 1731 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. Chmielewski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1731, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2040.

H. F. No. 2040: A bill for an act relating to government data; providing definitions; classifying data as public, private, confidential, non-public, or protected non-public; amending Minnesota Statutes 1978, Sections 15.162, by adding subdivisions; 15.165,

Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.163, Subdivisions 3, 5, and 9; 15.1642, Subdivisions 1 and 5; 15.166, Subdivision 4; 15.1692, Subdivision 2, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1698, Subdivision 1, and by adding subdivisions; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Stoa, Hokanson and Dempsey have been appointed as such committee on the part of the House.

House File No. 2040 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. Davies, for Mr. Tennessen, moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2040, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1813.

H. F. No. 1813: A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

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

Anderson, B.; Sviggum and Voss have been appointed as such committee on the part of the House.

House File No. 1813 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. Penny moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1813, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1816.

H. F. No. 1816: A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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

Clawson, Laidig and Moe have been appointed as such committee on the part of the House.

House File No. 1816 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. Solon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1816, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1847.

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; appropriating money.

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

Clawson, Onnen and Berkelman have been appointed as such committee on the part of the House.

House File No. 1847 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. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1847, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1931.

H. F. No. 1931: A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.

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

Wynia, Levi and Greenfield have been appointed as such committee on the part of the House.

House File No. 1931 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. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1931, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

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

Ellingson, Greenfield and Dempsey.

Senate File No. 133 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

Mr. President:

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

S. F. No. 1649: A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

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

Welch, Mann and Nelsen, B.

Senate File No. 1649 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

Mr. President:

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

S. F. No. 2095: A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article 1, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

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

Greenfield, Long and Peterson, B.

Senate File No. 2095 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 797.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

Mr. President:

Your message notifying the House that new conferees on the part of the Senate have been appointed by the Senate to Senate File No. 129 was reported to the House.

Senate File No. 129 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

Mr. President:

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

S. F. No. 1726: A bill for an act relating to children; providing for review of foster care of certain developmentally disabled children; amending Minnesota Statutes 1978, Section 257.071, Subdivision 3, and by adding a subdivision.

Senate File No. 1726 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1726 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1726: A bill for an act relating to children; providing for review of foster care of certain developmentally disabled children; permitting Ramsey and Hennepin County Juvenile Court referees to hear contested cases with parties' consent; amending Minnesota Statutes 1978, Sections 257.071, Subdivision 3; and 484.70, by adding a subdivision.

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

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

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearly	Luther	Pillsbury	Stern
Barrette	Gunderson	Menning	Purfeerst	Stokowski
Benedict	Hughes	Moe	Renneke	Strand
Bernhagen	Humphrey	Nelson	Rued	Stumpf
Brataas	Kirchner	Nichols	Schaaf	Ulland, J.
Chmielewski	Kleinbaum	Ogdahl	Schmitz	Vega
Davies	Knaak	Olhoft	Setzepfandt	Wegener
Dieterich	Knoll	Olson	Sieloff	Willet
Dunn	Knutson	Omann	Sikorski	
Engler	Laufenburger	Penny	Solon	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

Senate File No. 1295 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1295 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1295: A bill for an act relating to contracts; making certain legal proceedings unenforceable unless in writing; providing for the admission of certain evidence.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 682: A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivision 2.

Senate File No. 682 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

Mr. Chmielewski moved that S. F. No. 682 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 971: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding a subdivision.

Senate File No. 971 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 971 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 971: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding subdivisions.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE--CONTINUED

Mr. President:

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

S. F. No. 1132: A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

Senate File No. 1132 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1132 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1132: A bill for an act relating to financial institutions; altering permissible interest charges by industrial loan and thrift companies; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; 53.04, by adding a subdivision; and 118.01.

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 49 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Laufenburger	Pillsbury	Stern
Bang	Humphrey	Lessard	Purfeerst	Stokowski
Barrette	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Keefe, J.	Menning	Rued	Stumpf
Brataas	Keefe, S.	Moe	Schaaf	Tennessen
Davies	Kirchner	Nelson	Setzepfandt	Ueland, A.
Dunn	Kleinbaum	Nichols	Sieloff	Ulland, J.
Engler	Knaak	Olhoff	Sikorski	Vega
Gearty	Knoll	Olson	Solon	Wegener
Gunderson	Knutson	Omann	Staples	

Those who voted in the negative were:

Chmielewski Dieterich Luther Perpich Willet

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1775: A bill for an act relating to workers' compensation; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; amending Minnesota Statutes, 1979 Supplement, Sections 79.34; 79.35; 79.36; 79.37; and 79.38; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

Senate File No. 1775 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 1775 and that the bill be placed on its repassage as amended.

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S. F. No. 1775, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 40, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

The question recurred on the motion of Mr. Keefe, S. The motion prevailed.

S. F. No. 1775: A bill for an act relating to workers' compensation; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; amending Minnesota Statutes, 1979 Supplement, Sections 79.34; 79.35; 79.36; 79.37; and 79.38; Minnesota Statutes 1978, Section 176.011, Subdivision 11a; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

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 44 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	McCutcheon	Penny	Stern
Barrette	Hanson	Menning	Perpich	Stokowski
Benedict	Hughes	Merriam	Peterson	Strand
Bernhagen	Humphrey	Moe	Purfeerst	Stumpf
Chmielewski	Johnson	Nelson	Renneke	Tennessee
Coleman	Keefe, S.	Nichols	Rued	Vega
Davies	Knoll	Ogdahl	Schaaf	Wegener
Dieterich	Lessard	Olhoff	Setzepfandt	Willet
Gearty	Luther	Olson	Solon	

Those who voted in the negative were:

Ashbach	Engler	Kirchner	Omann	Staples
Bang	Frederick	Knaak	Pillsbury	Ueland, A.
Brataas	Jensen	Knutson	Sieloff	Ulland, J.
Dunn				

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

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

Senate File No. 1144 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Hanson moved that the Senate concur in the amendments by the House to S. F. No. 1144 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1144 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2304.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 1, 1980

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 2304: A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

Mr. Coleman moved that H. F. No. 2304 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H. F. No. 1842 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.
1842	2023				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1842 be amended as follows:

Delete page 1, line 15 to page 2, line 22

Page 2, line 25, after "PLAN.]" insert "*Subdivision 1.*"

Page 2, line 27, after "*health*" insert a comma and before "*shall*" delete the comma

Page 2, line 29, delete "*plans*" and insert "*plan*"

Page 3, lines 4 and 5, delete "*state and local units of government, including*"

Page 3, after line 7, insert

"(2) Provision of a remote effluent monitoring system capable of continuously identifying and quantifying the radioactive components of all effluents from nuclear fission electrical generating plants into the environment pursuant to section 6;"

Page 3, line 8, delete "(2)" and insert "(3)"

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

Page 3, line 13, delete "(4)" and insert "(5)"

Page 3, line 14, after "*for*" insert "*each plant site for the*" and delete "*plans*" and insert "*plan*"

Page 3, line 15, delete "(5)" and insert "(6)"

Page 3, after line 19, insert

"Subd. 2. The director, in coordination with the commissioner of public safety, shall provide grants to local units of government for the purpose of providing training and equipment to improve local nuclear power plant emergency response capacity.

Local units of government shall submit grant requests to the director in a manner and form prescribed by him. The director shall allocate grants on the basis of need and conformity with the plan."

Page 3, line 33, delete "SAFETY PREPAREDNESS"

Page 4, line 1, delete "ACT" and insert "POWER PLANT EMERGENCY RESPONSE PLAN"

Page 4, delete line 4 and insert "*an assessment of \$250,000 per plant to cover the initial cost of*"

Page 4, line 5, delete the comma

Delete page 4, line 8 to page 5, line 2 and insert "*plants. This assessment shall be paid to the state by September 1, 1980. Thereafter, an assessment of \$50,000 per plant shall be paid annually on January 1 of each year to cover ongoing costs related to the emergency response plan.*

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 4, is amended to read:

Subd. 4. The governor shall propose procedures for annual review by state and local officials of the ~~evacuation plans~~ *state emergency response plan* specified in the licensing of each nuclear fission electrical generating plant. The review shall include, but not be limited to such factors as changes in traffic patterns, population densities, and new construction. Opportunity for full public participation in the annual review shall be provided. Copies of an

evacuation plan a state emergency response plan shall be published, publicized, and distributed to the news media and to the appropriate officials of affected communities, and shall be made available to the general public upon request, at no more than the cost of reproduction.

Sec. 6. [CONTINUOUS REMOTE EFFLUENT MONITORING SYSTEMS.] *Subdivision 1. The department of public safety, in cooperation with the department of health and the pollution control agency, shall conduct a study of available continuous, remote effluent monitoring and notification systems and establish requirements for a system, including the type, number and location of devices for that system, suitable for use at Minnesota plant sites. The study shall be completed by January 1, 1981, and shall be reported to the legislature on or before January 15, 1981, and the requirements shall be established by July 1, 1981.*

The department of health may also provide for inspections and may require calibrations and maintenance activities to be performed by the operators of monitored plants.

Subd. 2. The operators of nuclear fission electrical generating plants shall implement the monitoring system requirements within one year of promulgation.

Sec. 7. [APPROPRIATIONS.] *Subdivision 1. The sum of \$681,000 is appropriated from the general fund to the commissioner of public safety, to be available until June 30, 1981, for the following purposes:*

- (a) *For the purposes provided in section 2: \$ 381,000*
- (b) *For the purpose of providing local grants pursuant to section 2, subdivision 2: \$ 100,000*
- (c) *For the purpose of a study of the consequences of a serious nuclear power plant incident at each of the existing operating plant locations, and for the study required in section 6: \$ 200,000*

The study of consequences shall be conducted by the director of emergency services and shall include analysis of existing emergency planning zones, and the need for modification or extension thereof, the capacity of state and local agencies to deal with a nuclear power plant emergency, the need for changes in land use regulation near plant sites, the scope of federal assistance during an emergency, the scope and coverage of utility insurance programs, and a review of the state's appropriate role in emergency planning and plant operation. The director shall report his findings and recommendations to the legislature by January 15, 1981.

The department of public safety, division of emergency services is authorized to increase its complement by two positions in the unclassified service.

Subd. 2. The sum of \$181,000 is appropriated from the general fund to the commissioner of health for the purchase of equipment,

and other costs necessary to carry out the purpose of section 2 to be available until expended.

The department of health is authorized to increase its complement by one full time position.

Sec. 8. This act is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "nuclear safety" and insert "emergency services"

Page 1, line 7, after the semicolon insert "changing zoning laws;"

Page 1, line 12, before the period insert "and 4"

And when so amended H. F. No. 1842 will be identical to S. F. No. 2023, and further recommends that H. F. No. 1842 be given its second reading and substituted for S. F. No. 2023, and that the Senate File be indefinitely postponed.

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

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

H. F. No. 1995 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.
1995	1668				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1995 be amended as follows:

Delete page 2, line 33 to page 3, line 4

Page 3, line 5, delete "5." and insert "4."

Amend the title as follows:

Page 1, lines 10 and 11, delete "; and Laws 1979, Chapter 272, Section 12"

And when so amended H. F. No. 1995 will be identical to S. F. No. 1668, and further recommends that H. F. No. 1995 be given its second reading and substituted for S. F. No. 1668, 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. 1842 and 1995 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Schaaf moved that H. F. No. 2082 be taken from the table. The motion prevailed.

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.

Mr. Schaaf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2082, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. McCutcheon moved that H. F. No. 2304 be taken from the table. The motion prevailed.

H. F. No. 2304: A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

SUSPENSION OF RULES

Mr. McCutcheon moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 2304 and that the rules of the Senate be so far suspended as to give H. F. No. 2304 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2304 was read the second time.

Mr. McCutcheon moved to amend H. F. No. 2304 as follows:

Delete everything after the enacting clause of H. F. No. 2304 and insert the language after the enacting clause of S. F. No. 599, as amended by the Committee on Judiciary, adopted by the Senate March 26, 1980; further, delete the title of H. F. No. 2304 and insert the title of S. F. No. 599, as amended by the Committee on Judiciary, adopted by the Senate March 26, 1980.

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon then moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 19, line 13, after "*measure*" insert "*when the publication is undertaken primarily for the purpose of influencing adoption or rejection*"

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend H. F. No. 2304, as amended by the Senate, April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*ten*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 1, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, line 6, delete "*five*" and insert "*ten*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Mr. Sieloff requested division of the amendment as follows:
First portion:

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*ten*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 1, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Second portion:

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, line 6, delete "*five*" and insert "*ten*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 2304. The following Senators answered to their names:

Anderson	Engler	Lessard	Peterson	Stern
Barrette	Frederick	Menning	Pillsbury	Stokowski
Benedict	Gearty	Merriam	Rued	Stumpf
Bernhagen	Gunderson	Nelson	Schmitz	Ueland, A.
Brataas	Hughes	Nichols	Setzepfandt	Ulland, J.
Chmielewski	Humphrey	Olhoff	Sieloff	Wegener
Davies	Keefe, S.	Omamm	Sikorski	
Dieterich	Knaak	Penny	Solon	
Dunn	Knoll	Perpich	Staples	

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

Pursuant to Rule 21, Mr. Setzepfandt moved that the following members be excused for a Conference Committee on H. F. No. 1453:

Messrs. Setzepfandt, Peterson and Ogdahl. The motion prevailed.

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

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

Mr. Keefe, S. moved to amend H. F. No. 2304, as amended by the Senate, April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 18, after line 18, insert:

"Sec. 29. [3B.265] [DISCLOSURE TO ETHICAL PRACTICES BOARD.] For the purpose of section 10A.01, subdivision 15, "political committee" includes any association organized to promote or defeat a ballot question, including the sponsors of a petition as defined by section 4, subdivision 6, and any association that gives implicit or explicit consent for any other person to receive contributions or make expenditures to promote or defeat a ballot question."

Page 21, delete Section 33

Page 21, line 32, delete "*which favors or*"

Page 21, line 33, delete everything before "*shall*" and insert "*organized to promote or defeat a ballot question*"

Page 22, line 1, delete "*before*" and insert "*not later than*"

Page 22, line 1, delete "*issuing of the*"

Page 22, line 2, delete "*provided for in*" and insert "*issued under*"

Page 22, line 2, before the period insert "*with respect to the petition on that question*"

Page 24, after line 2, insert:

"Sec. 36. Minnesota Statutes 1978, Section 10A.01, Subdivision 7, is amended to read:

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

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

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

Contribution does not include services provided without compensation by an individual volunteering his time on behalf of a

candidate, *ballot question*, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 37. Minnesota Statutes 1978, Section 10A.01, Subdivision 7a, is amended to read:

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

Sec. 38. Minnesota Statutes 1978, Section 10A.01, Subdivision 7b, is amended to read:

Subd. 7b. "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the nomination or election of a candidate *or for the purpose of promoting or defeating a ballot question*. Donation in kind includes an approved expenditure.

Sec. 39. Minnesota Statutes 1978, Section 10A.01, Subdivision 10, is amended to read:

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

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

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

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

Expenditure does not include:

(a) Noncampaign disbursements as defined in subdivision 10c;

(b) Transfers as defined in subdivision 7a;

(c) Services provided without compensation by an individual volunteering his time on behalf of a candidate, *ballot question*, political committee, or political fund; or

(d) The publishing or broadcasting of news items or editorial comments by the news media.

Sec. 40. Minnesota Statutes 1978, Section 10A.01, Subdivision 10c, is amended to read:

Subd. 10c. "Noncampaign disbursement" means a purchase or

payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

Noncampaign disbursement includes:

- (a) Payment for accounting and legal services;
- (b) Return of a contribution to the source;
- (c) Repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) Return of moneys from the state elections campaign fund;
- (e) Payment for food and beverages consumed at a fundraising event;
- (f) Services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held; and
- (g) A donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

Sec. 41. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

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

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

Sec. 42. Minnesota Statutes 1978, Section 10A.01, Subdivision 16, is amended to read:

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

Sec. 43. Minnesota Statutes 1978, Section 10A.01, is amended by adding a subdivision to read:

Subd. 23. "Ballot question" means a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. "Promoting or defeating a ballot question"

includes activities related to qualifying the question for placement on the ballot.

Sec. 44. Minnesota Statutes 1978, Section 10A.12, Subdivision 1, is amended to read:

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

Sec. 45. Minnesota Statutes 1978, Section 10A.20, Subdivision 3, is amended to read:

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

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

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

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

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

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

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

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or

political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, *identification of the ballot question which the expenditure is intended to promote or defeat*, and, in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

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

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

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

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

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

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

Sec. 46. Minnesota Statutes 1978, Section 10A.20, Subdivision 6, is amended to read:

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

Sec. 47. Minnesota Statutes 1978, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any ~~moneys~~ money from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or

allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. ~~Beginning in 1980,~~ Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. ~~Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978.~~ That amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements *and contributions and expenditures to promote or defeat a ballot question which are* made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for ~~goods consumed and services used before February 28, 1978,~~ shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

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

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

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a. plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contri-

butions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 48. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

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

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

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

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

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

Sec. 49. Minnesota Statutes 1978, Section 210A.26, is amended by adding a subdivision to read:

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

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

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

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

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

For the purpose of this subdivision:

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

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

Sec. 50. Minnesota Statutes 1978, Section 210A.34, Subdivision 1, is amended to read:

210A.34 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN; PERMITTED ACTIVITIES; REPORTS; PENALTIES.] Subdivision 1. It shall be unlawful for any corporation doing business in this state to ~~pay or contribute or make any contribution or to offer, consent or agree to pay or contribute~~ make any contribution, directly or indirectly, of any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual ~~for any political purpose whatsoever,~~ or to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. *For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of any candidate to any political office which is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, his principal campaign committee or his agent.*

Sec. 51. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

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

Sec. 52. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

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

Sec. 53. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

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

Page 24, line 8, after the period insert "*Sections 37 to 53 are effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "and" and insert a comma

Page 1, line 2, after "referendum" insert "and other ballot questions;"

Page 1, line 10, after "measures;" insert "permitting corporations to spend money to promote or defeat ballot questions; requiring reports of contributions and expenditures to promote or defeat ballot questions;"

Page 1, line 12, delete "Subdivision 15" and insert "Subdivisions 7, 7a, 7b, 10, 10c, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1;"

Page 1, line 12, after "10A.20," insert "Subdivisions 3 and 6 and"

Page 1, line 12, after "subdivision;" insert "210A.26, Subdivision 3, and by adding a subdivision;"

Page 1, line 13, before "and" insert "210A.34, Subdivision 1, and by adding subdivisions;"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 3, lines 20 and 21, delete "*or not later than August 1 in calendar year 1980*"

Page 6, line 11, delete "*or calendar year 1980*"

Page 6, line 30, delete "*, except those petitions*"

Page 6, delete line 31

Page 6, line 32, delete everything before the period

Page 7, line 12, delete the comma

Page 7, delete line 13

Page 7, line 14, delete everything before the period

Page 10, lines 23 and 24, delete "or not later than August 1 in calendar year 1980"

Page 24, delete lines 4 to 7 and insert "the governor announces the adoption of the new amendment by proclamation as provided by section 3.20 but shall expire on December"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Kirchner	Pillsbury	Ueland, A.
Barrette	Engler	Knaak	Renneke	Ulland, J.
Benedict	Frederick	Knutson	Rued	
Bernhagen	Jensen	Ogdahl	Sieloff	
Brataas	Keefe, J.	Omann	Strand	

Those who voted in the negative were:

Anderson	Johnson	Merriam	Purfeerst	Stokowski
Davies	Knoll	Nelson	Schaaf	Tennessee
Dieterich	Laufenburger	Nichols	Setzepfandt	Vega
Gearty	Lessard	Olhoff	Sikorski	
Gunderson	Luther	Penny	Solon	
Hughes	McCutcheon	Perpich	Staples	
Humphrey	Menning	Peterson	Stern	

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

Mr. Pillsbury moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 1, line 20, delete "Any law except a" and insert "Any law and any amendment to article IV of the constitution but no other"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Kirchner	Omann	Sieloff
Barrette	Engler	Knaak	Perpich	Sikorski
Benedict	Frederick	Luther	Pillsbury	Ueland, A.
Bernhagen	Jensen	Nelson	Renneke	Ulland, J.
Brataas	Keefe, J.	Ogdahl	Rued	

Those who voted in the negative were:

Anderson	Humphrey	Menning	Purfeerst	Stokowski
Chmielewski	Johnson	Merriam	Schaaf	Strand
Davies	Keefe, S.	Nichols	Schmitz	Stumpf
Dunn	Knutson	Olhoff	Setzepfandt	Tennessee
Gearty	Laufenburger	Olson	Solon	Vega
Gunderson	Lessard	Penny	Staples	
Hughes	McCutcheon	Peterson	Stern	

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

Mr. Bernhagen moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "congressional district" and insert "county"

Page 7, line 6, delete "five" and insert "eight"

Page 7, lines 7 and 8, delete "congressional district" and insert "county"

Page 7, line 25, delete "congressional district" and insert "county"

Page 8, line 6, delete "congressional district" and insert "county"

Page 9, lines 16 and 17, delete "congressional district" and insert "county"

Page 9, lines 23 and 24, delete "congressional district" and insert "county"

Page 10, line 1, delete "congressional district" and insert "county"

Page 10, line 6, delete "congressional district" and insert "county"

Page 12, line 14, delete "congressional district" and insert "county"

Page 14, line 5, delete "congressional district" and insert "county"

Page 14, lines 7 and 8, delete "congressional district" and insert "county"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 27 and nays 27, as follows:

Those who voted in the affirmative were:

Bang	Engler	Laufenburger	Purfeerst	Solon
Barrette	Frederick	Merriam	Renneke	Strand
Bernhagen	Gunderson	Olhoff	Rued	Ueland, A.
Brataas	Keefe, J.	Omann	Schaaf	
Chmielewski	Knaak	Perpich	Schmitt	
Dunn	Knutson	Pillsbury	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	McCutcheon	Peterson	Ulland, J.
Benedict	Keefe, S.	Menning	Sikorski	Vega
Davies	Kirchner	Nelson	Stern	Wegener
Dieterich	Kleinbaum	Nichols	Stokowski	
Gearty	Knoll	Olson	Stumpf	
Hughes	Luther	Penny	Tennessee	

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

Mr. Jensen moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 6, delete "five" and insert "ten"

Page 14, line 6, delete "five" and insert "ten"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knutson	Pillsbury	Strand
Bernhagen	Frederick	Merriam	Renneke	Ueland, A.
Brataas	Gunderson	Olhoft	Rued	
Chmielewski	Jensen	Olson	Schaaf	
Dunn	Knaak	Perpich	Sieloff	

Those who voted in the negative were:

Barrette	Johnson	Lesard	Peterson	Stokowski
Benedict	Keefe, J.	Luther	Purfeerst	Stumpf
Davies	Keefe, S.	McCutcheon	Sikoraki	Tennessee
Dieterich	Kirchner	Menning	Solon	Ulland, J.
Gearty	Kleinbaum	Nelson	Spear	Vega
Hughes	Knoll	Nichols	Staples	Wegener
Humphrey	Laufenburger	Penny	Stern	

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

Mr. Chmielewski moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 2, delete line 4

Page 2, delete line 21

Page 24, lines 4 and 5, delete "*the earlier of the following dates: (1)*"

Page 24, lines 7 and 8, delete "*; or (2) December 31, 1984*"

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Nichols	Rued
Bang	Engler	Knaak	Olson	Sieloff
Barrette	Frederick	Knutson	Omann	Staples
Benedict	Gunderson	Luther	Penny	Ueland, A.
Bernhagen	Jensen	Menning	Pillsbury	Ulland, J.
Brataas	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Humphrey	McCutcheon	Schaaf	Strand
Coleman	Johnson	Merriam	Sikoraki	Stumpf
Davies	Keefe, S.	Olhoft	Solon	Tennessee
Dieterich	Knoll	Perpich	Spear	Vega
Gearty	Laufenburger	Peterson	Stern	Wegener
Hughes	Lesard	Purfeerst	Stokowski	

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

Mr. Johnson moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*nine*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olhoff	Schmitz
Bang	Engler	Laufenburger	Perpich	Sieloff
Barrette	Gunderson	Lessard	Pillsbury	Solon
Bernhagen	Johnson	Menning	Renneke	Strand
Brataas	Kleinbaum	Merriam	Rued	Ueland, A.
Chmielewski	Knaak	Moe	Schaaf	

Those who voted in the negative were:

Anderson	Humphrey	Luther	Penny	Stokowski
Benedict	Jensen	McCutcheon	Purfeerst	Stumpf
Davies	Keefe, J.	Nelson	Sikorski	Tennessee
Dieterich	Keefe, S.	Nichols	Spear	Ulland, J.
Gearty	Kirchner	Olson	Staples	Vega
Hughes	Knoll	Omann	Stern	Wegener

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

Mr. Keefe, J. moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 2, line 4, delete "1984" and insert "1986"

Page 2, line 21, delete "1984" and insert "1986"

Page 24, line 8, delete "1984" and insert "1986"

Mr. Benedict moved to amend the Keefe, J. amendment to H. F. No. 2304 as follows:

In the Keefe, J. amendment, delete "1986" wherever it appears and insert "2035"

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

The question recurred on the Keefe, J. amendment. The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 18, line 21, after "*signing*" insert "*or circulating*"

Page 19, line 8, after "*signing*" insert "*or circulating*"

The motion prevailed. So the amendment was adopted.

Having voted on the prevailing side Mr. Purfeerst moved that the vote whereby the Johnson amendment to H. F. No. 2304 was not adopted on April 2, 1980, be now reconsidered. The motion did not prevail.

Mr. Davies moved to amend the Dunn amendment to H. F. No. 2304, adopted by the Senate April 2, 1980, as follows:

In the amendment to page 18, line 21, after "*or*" insert "*, except as an incidental part of his regular employment,*"

In the amendment to page 19, line 8, after "*or*" insert "*, except as an incidental part of regular employment,*"

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

H. F. No. 2304 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 47 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Menning	Pillsbury	Staples
Aashbach	Hanson	Moe	Purfeerst	Strand
Bang	Hughes	Nelson	Renneke	Ueland, A.
Barrette	Jensen	Nichols	Rued	Ulland, J.
Benedict	Keefe, J.	Olhoft	Schaaf	Vega
Bernhagen	Kirchner	Olson	Schmitz	Wegener
Chmielewski	Knaak	Omann	Setzepfandt	Willet
Dunn	Knutson	Penny	Sieloff	
Engler	Laufenburger	Perpich	Sikorski	
Frederick	McCutcheon	Peterson	Solon	

Those who voted in the negative were:

Brataas	Gearty	Kleinbaum	Merriam	Stokowski
Coleman	Humphrey	Knoll	Ogdahl	Stumpf
Davies	Johnson	Lessard	Spear	Tennessee
Dieterich	Keefe, S.	Luther	Stern	

So the bill, as amended, 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:

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

SPECIAL ORDER

S. F. No. 1827: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; adding a provision to allow the legislature to call a special session.

Mr. Luther moved to amend S. F. No. 1827 as follows:

Page 1, line 21, delete "*two-thirds*" and insert "*three-fifths*"

Page 2, line 14, delete "a majority of its" and insert "three-fifths of the" and after "members" insert "of each house"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend S. F. No. 1827 as follows:

Page 2, after line 16, insert:

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

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

Sec. 2. [APPORTIONMENT OF MEMBERS.] The number of members who compose the senate and house of representatives shall be prescribed by law. ~~The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.~~ A law changing the number of senators or representatives shall be effective on January 1 of the next year ending in the number one following enactment of the law and shall govern beginning with the first general election held under an apportionment plan that becomes effective after that date.

Sec. 3. At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The legislature shall not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the congress of the United States.

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

ARTICLE XV REAPPORTIONMENT COMMISSION

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

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

The remaining five members shall be appointed by unanimous agreement of the legislative appointees. The qualifications of these members shall be provided by law.

Members of the commission shall be appointed within the time provided by law but not later than March 15 when the commission is established in a year ending in the number one. The supreme court shall fill any vacancy caused by failure to appoint a member within the time required by law.

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

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

The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow the boundaries of local governmental

units and, wherever practicable, follow natural and man-made physical boundaries. No apportionment plan shall be drawn for the purpose of favoring any person or political party. Legislative and congressional districts shall be drawn according to the number of legislators and representatives in congress to be elected at the first election of all senators and representatives following the effective date of the apportionment plan.

Sec. 3. [APPORTIONMENT PLAN.] *The commission shall adopt an apportionment plan within the time provided by law but not later than December 1 when the commission is established in a year ending in the number one. The plan shall set forth all of the new legislative and congressional districts. An apportionment plan is adopted by the commission when it is approved by a vote of at least six of its members.*

Sec. 4. [EFFECTIVE DATE; ELECTIONS GOVERNED BY NEW DISTRICTS.] *An apportionment plan is effective when it is adopted and all judicial review under section 5 or by any other court is completed. The districts set forth in an apportionment plan shall govern legislative and congressional elections beginning on the date of the first general election after the plan is effective.*

Sec. 5. [JUDICIAL REVIEW; COURT DRAWN PLAN.] *The supreme court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law. If the commission fails to adopt an apportionment plan within the time provided by law the supreme court shall adopt its own plan in accordance with the requirements of section 2 of this article. If an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year, the time for establishing residency for legislative candidates as set forth in article IV, section 6, is extended to either 45 days after the effective date of the plan or to the last day provided by law for filing for office at the general election, whichever is earlier.*

Sec. 6. [IMPLEMENTATION.] *The legislature may enact the laws necessary to implement this article provided that reapportionment shall be governed by the law in effect on January 1 of the year in which a reapportionment commission is established.*

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

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

Yes.

No.”

Sec. . . . [2A.01] [CITATION.] *Sections . . . to . . . may be cited as the “Reapportionment Implementation Act.”*

Sec. 4. [2A.02] [APPOINTMENT.] *Subdivision 1. For the purpose of Article XV, Section 1 of the Minnesota Constitution “political party” means the political party or political principle by which*

a legislator was designated on the general election ballot when the legislator was last elected.

Subd. 2. Not more than five members of the commission shall be residents of the metropolitan area as defined in section 473.121, subdivision 2 and not more than five members shall be residents of the area consisting of the remainder of the state.

Subd. 3. Except for the members appointed pursuant to subdivision 5, no individual shall be appointed or shall serve as a member of the commission who:

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

(b) Is or has been within two years prior to appointment an officer of a political party, except a precinct officer, or an officer of a campaign committee of a candidate for state or federal office;

(c) Is an employee of the legislature or congress;

(d) Is a member of the immediate family of a legislator or representative in congress. "Member of the immediate family" means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household; or,

(e) Is or has been within two years prior to appointment a lobbyist as that term is defined by section 10A.01, subdivision 11.

Subd. 4. Except for members appointed pursuant to subdivision 5, no individual appointed as a member of the commission shall remain a member if he becomes a candidate for any elective state or federal office.

Subd. 5. Not later than January 15 of each year ending in the number one the secretary of state shall request the legislators who are authorized by the constitution to appoint members to serve on the commission to certify the names of their appointees. The representatives representing political parties other than the party represented by the speaker of the house and the senators representing political parties other than the party represented by the president of the senate shall convene during the ten days following the request of the secretary of state, at a time and place directed by the secretary, to appoint members of the commission. The secretary of state shall preside at these conventions. The names of all legislative appointees shall be certified to the secretary of state not later than the following February 1. If a certification is not received within the required time, the secretary of state shall notify the chief justice of the supreme court that there is a vacancy on the commission. Within ten days after notification the supreme court shall fill the vacancy and certify the name of the appointee to the secretary of state.

Subd. 6. Not later than March 15 the commission members whose appointments have been certified pursuant to subdivision 5 shall appoint the five remaining members by unanimous agree-

ment and certify the names to the secretary of state. When a certificate is not received within the required time, the secretary of state shall notify the chief justice that there is a vacancy. Within ten days after the notification the supreme court shall appoint the necessary number of members and certify their names to the secretary of state.

Subd. 7. Vacancies other than those resulting from a failure to appoint a member within the time provided by law shall be filled by the appointing authority that made the original appointment within five days after the vacancy occurs. If the vacancy is not filled within five days the supreme court shall fill the vacancy.

Sec. . . . [2A.03] [COMMENCEMENT OF DUTIES; MEETINGS.] *Subdivision 1. The secretary of state shall select a time and place of the first meeting of the commission, which shall not be later than April 1 of the year ending in one, and shall notify the commission members of the time and place selected. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The secretary of state shall preside at the meeting until the election of a permanent presiding officer. The commission shall elect a presiding officer and other officers as it shall find necessary.*

Subd. 2. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 3. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The proceedings of the commission are open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 4. A majority of the members of the commission constitutes a quorum to conduct business. At any meeting of the commission at which a quorum is present, a majority of those present may compel the attendance of absent members. The attendance of absent members may be compelled in the manner that either the senate or house of representatives provide for their members.

Sec. . . . [2A.04] [REMOVAL OF COMMISSION MEMBER.] *Any member of the commission may be removed from the commission by the supreme court upon petition filed by any eligible voter. The member may be removed, after a hearing, upon a finding by the supreme court, by a preponderance of the evidence, that a member of the commission during his membership has been convicted of a gross misdemeanor or felony, or that a member*

is unqualified to serve under the provisions of section . . . , subdivision 3 or 4, or that a member is physically or mentally incapable of serving, or is unwilling to serve. It is prima facie evidence that a member is unwilling to serve if he fails to attend three successive meetings of the commission or fails to attend a total of six meetings of the commission. Upon removal, the position shall be filled in the manner provided for filling vacancies. An individual who is removed from the commission pursuant to this section may not be reappointed to the commission.

Sec. . . . [2A.05] [ADMINISTRATIVE SUPPORT.] *The presiding officer of the commission shall supervise the staff of the commission. The secretary of state, commissioner of administration, attorney general and revisor of statutes shall make available the personnel, facilities, technical services and other assistance requested by the commission. The commission may employ or contract for the services of other staff personnel.*

Sec. . . . [2A.06] [APPORTIONMENT PLAN.] *Subdivision 1. An apportionment plan adopted by the commission shall include:*

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

(b) *A map of each district showing the name and location of each public road and each local governmental unit boundary in the district in a scale that allows precise location of the district boundaries;*

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

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

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

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

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

Subd. 2. An apportionment plan shall be adopted not later than September 1 of the year in which the commission is established. When an apportionment plan adopted by the commission is remanded by the supreme court or by a federal court, the commission shall adopt an amended plan consistent with the finding of the court not later than 30 days after the original plan is remanded.

Subd. 3. The commission shall file the original or any amended plan with the secretary of state within five days of its adoption.

Subd. 4. Any commission members in the minority may prepare

a minority report which shall be published with the plan adopted by the commission.

Sec. . . . [2A.07] [COURT ORDER OR CHANGE IN CONGRESSIONAL REPRESENTATION.] *Subdivision 1. When a commission is not otherwise constituted and either the number of the state's representatives in congress is changed by federal law or a federal court order requires either adoption or amendment of a plan, a commission shall be established and shall draw the congressional district boundaries or amend the plan.*

Subd. 2. The supreme court shall set a timetable for establishing a reapportionment commission and drawing the boundaries or amending the plan. The timetable shall be consistent with the time provided for adoption of an apportionment plan pursuant to section . . . , subdivision 2, as far as practicable.

Sec. . . . [2A.08] [COMPENSATION.] *Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.*

Sec. . . . [2A.09] [DISSOLUTION.] *The commission shall conclude its business and dissolve when:*

(a) 30 days have passed from the adoption of an original, unamended apportionment plan without the filing of any petition for review by the supreme court and all legal actions concerning the plan which are known at that time have been decided; or

(b) The commission has adopted an amended apportionment plan after remand by a court and has completed its duties under section . . . ; or

(c) The commission has failed to adopt a plan or amended plan within the time required by law.

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

Sec. . . . [2A.10] [PUBLICATION OF REPORT.] *Subdivision 1. Promptly after the filing of an apportionment plan the commission shall:*

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

(b) Prepare and transmit a summary of the plan to each news-

paper of general circulation and each radio and television station in the state; and

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

Subd. 2. The summary shall contain:

(a) A map showing all the new districts in the state;

(b) Separate maps showing the districts in the principal area served by the newspaper, radio or television station;

(c) A statement of the population of each district;

(d) A statement of the percentage variation of each district from the average population of other districts of the same kind; and

(e) An indication of where a copy of the final report of the commission may be examined or purchased and its purchase price.

Sec. ... [2A.11] [JUDICIAL REVIEW.] Subdivision 1. An action to review an original or amended apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the date the plan is filed with the secretary of state. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and upon the attorney general. The court shall hold hearings upon the petition and shall render its opinion on an original unamended plan of the commission within 60 days of the date that the petition is filed. The court shall render its opinion on an amended plan of the commission within 30 days of the date a petition is filed claiming the amended plan does not comply with constitutional or legal requirements.

Subd. 2. If the court determines that an original, unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment. If the court retains jurisdiction of an action to review an apportionment plan when the plan is remanded to the commission, the court shall render its opinion on any amended plan within 30 days after the date the amended plan is filed with the secretary of state.

Subd. 3. If a federal court determines that an original unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the plan shall be remanded to the commission for amendment.

Subd. 4. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law, or an

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

Sec. ... [2A.12] [DUTIES OF ATTORNEY GENERAL.]

The attorney general shall represent the commission and shall defend the apportionment plan adopted by the commission in any action to review the plan in the supreme court. He shall represent the state and shall defend the apportionment plan adopted pursuant to Article XV of the Minnesota Constitution and sections .. to .. in any action to review the plan in a federal court. In any action in federal court, the attorney general shall request the court to expedite the proceedings.

Sec. ... [APPROPRIATION.] Subdivision 1. *The sum of \$100,000 is appropriated from the general fund to the reapportionment commission for the purpose of implementing sections .. to ... The sum is available March 1, 1981, and until expended.*

Subd. 2. *The sum of \$150,000 is appropriated from the general fund to the legislative coordinating commission for the development by March 1, 1981, of data processing support for reapportionment. The coordinating commission may obtain bids and proposals from and may enter contracts and agreements with private contractors and state agencies or departments for all or portions of the data processing support in a level that the coordinating commission finds appropriate. For the purpose of this paragraph, "data processing support" includes the purchase or use of computer hardware, software, professional services, including system design consultation, and data entry services. This appropriation is available the day after final enactment and until March 1, 1981. Any amount that remains unobligated on March 1, 1981, is appropriated to the reapportionment commission for implementation of sections .. to .., and is available until expended.*

Sec. ... [REPEALER.] *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date of the general election for representatives in congress following the effective date of an apportionment plan pursuant to article XV of the constitution.*

Sec. ... [EFFECTIVE DATE.] *Sections .. to .. and .. are*

effective on the date the constitutional amendment in section . . . is ratified as provided by the constitution.

Sec. . . . [BALLOT QUESTIONS.] Notwithstanding any law or rule to the contrary, the ballot question in section . . . shall immediately precede any other ballot questions placed on the ballot and submitted to the people at the 1980 general election. This section is effective the day following final enactment."

Amend the title as follows:

Page . . . , line . . . , after . . . , insert

"proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 2 and 3, and adding a new article, to provide for establishment of the boundaries of congressional and legislative districts by a commission and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed reapportionment commission amendment by providing by law for the duties, powers and operation of the commission; providing for judicial review of an apportionment plan; imposing duties on certain state officials; appropriating money;"

Page . . . , line . . . , after . . . , insert

"and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811"

Mr. Luther questioned whether the amendment was germane.

The President ruled the amendment was not germane.

CALL OF THE SENATE

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

Ashbach	Frederick	Olhoff	Schmitz	Stumpf
Bang	Gerty	Olson	Setzepfandt	Tennessee
Benedict	Jensen	Omann	Sieloff	Ueland, A.
Bernhagen	Keefe, J.	Perpich	Sikorski	Ulland, J.
Coleman	Knoll	Renneke	Stern	Vega
Davies	Luther	Rued	Stokowski	
Dunn	Merriam	Schaaf	Strand	

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

CALL OF THE SENATE

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

Anderson	Frederick	Keefe, S.	Omann	Sieloff
Bang	Gerty	Kleinbaum	Penny	Stern
Barrette	Gunderson	Knaak	Perpich	Stumpf
Benedict	Hanson	Knoll	Peterson	Tennessee
Bernhagen	Hughes	Luther	Purfeerst	Ueland, A.
Brataas	Humphrey	Merriam	Renneke	Vega
Coleman	Jensen	Nelson	Rued	Wegener
Davies	Johnson	Olhoff	Schmitz	
Dunn	Keefe, J.	Olson	Setzepfandt	

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

Pursuant to Rule 21, Mr. Nichols moved that the following members be excused for a Conference Committee on S. F. No. 2351 at 4:00 o'clock p.m.

Messrs. Dunn, Peterson and Nichols. The motion prevailed.

Mr. Jensen appealed the decision of the President as to the germaneness of the Keefe, J. amendment.

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

The roll was called, and there were yeas 32 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Purfeerst	Strand
Benedict	Hughes	Menning	Schaaf	Stumpf
Chmielewski	Humphrey	Merriam	Schmitz	Vega
Coleman	Keefe, S.	Olhoft	Setzepfandt	Wegener
Davies	Kleinbaum	Olson	Sikorski	
Dieterich	Knoll	Penny	Solon	
Gearty	Laufenburger	Perpich	Stokowski	

Those who voted in the negative were:

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

The decision of the President was sustained.

Mr. Sieloff moved that Rule 37 be suspended as to the Keefe, J. amendment.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gunderson	Knoll	Penny	Sikorski
Benedict	Hughes	Laufenburger	Perpich	Solon
Chmielewski	Humphrey	Luther	Purfeerst	Stokowski
Davies	Johnson	Menning	Schaaf	Stumpf
Dieterich	Keefe, S.	Merriam	Schmitz	Vega
Gearty	Kleinbaum	Olhoft	Setzepfandt	Wegener

The motion did not prevail.

S. F. No. 1827 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. Ulland, J. moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 19 and nays 43, as follows:

Those who voted in the affirmative were:

Coleman	Johnson	Laufenburger	Sikorski	Stokowski
Davies	Keefe, S.	Luther	Spear	Stumpf
Gearty	Kleinbaum	Perpich	Staples	Vega
Humphrey	Knoll	Schaaf	Stern	

Those who voted in the negative were:

Anderson	Dunn	Knaak	Omann	Sieloff
Ashbach	Engler	Knutson	Penny	Solon
Bang	Frederick	Menning	Peterson	Strand
Barrette	Gunderson	Merriam	Pillsbury	Ueland, A.
Benedict	Hanson	Moe	Purfeerst	Ulland, J.
Bernhagen	Hughes	Nelson	Renneke	Wegener
Brataas	Jensen	Nichols	Rued	Willet
Chmielewski	Keefe, J.	Ogdahl	Schmitz	
Dieterich	Kirchner	Olhoft	Setzepfandt	

So the bill, as amended, failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schmitz moved that H. F. No. 2289 be taken from the table. The motion prevailed.

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.

SUSPENSION OF RULES

Mr. Schmitz 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. 2289 and that the rules of the Senate be so far suspended as to give H. F. No. 2289 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2289 was read the second time.

Mr. Chmielewski moved to amend H. F. No. 2289 as follows:

Page 1, after line 6, insert:

“Section 1. An amendment to the Minnesota Constitution, adding a section to Article I, is proposed to the people of the state. If the amendment is adopted, the section will read:

Sec. 18. The right of a citizen to possess and use arms for recreation, for marksmanship training, or for the defense of home, person or property, shall not be abridged.

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

“Shall the Minnesota Constitution be amended to provide that the right to possess and use arms for recreation, for marksmanship training, or for the defense of home, person or property, shall not be abridged?

Yes.....
No.....” ”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete “an amendment” and insert “amendments”

Page 1, line 3, delete the first comma and insert “; amending”

Page 1, line 3, delete “; removing” and insert “to remove”

Page 1, line 4, before the period, insert “; amending Article I by adding a section to provide that the right to possess and use arms shall not be abridged”

Mr. Purfeerst questioned whether the amendment was germane.

The President ruled the amendment was not germane.

H. F. No. 2289 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 42 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Perpich	Solon
Bang	Hanson	Knutson	Pillsbury	Stern
Barrette	Hughes	Laufenburger	Purfeerst	Stokowski
Bernhagen	Humphrey	Luther	Renneke	Strand
Brataas	Johnson	Menning	Rued	Ueland, A.
Chmielewski	Keefe, J.	Merriam	Schmitz	Ulland, J.
Dunn	Keefe, S.	Ogdahl	Setzepfandt	
Engler	Kleinbaum	Olson	Sieloff	
Frederick	Knaak	Omann	Sikorski	

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1550: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the Senate; amending Minnesota Statutes 1978, Section 359.01.

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 39 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Kleinbaum	Olson	Sikorski
Bang	Gunderson	Knoll	Perpich	Solon
Barrette	Hanson	Laufenburger	Pillsbury	Stern
Bernhagen	Hughes	Luther	Purfeerst	Stokowski
Chmielewski	Humphrey	Menning	Renneke	Strand
Davies	Jensen	Merriam	Rued	Stumpf
Dieterich	Johnson	Ogdahl	Schmitz	Vega
Engler	Keefe, S.	Olhoff	Setzpfandt	

Those who voted in the negative were:

Brataas	Knaak	Omann	Ueland, A.	Ulland, J.
Keefe, J.	Knutson	Sieloff		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 121: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.

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 23 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kleinbaum	Perpich	Stumpf
Benedict	Hughes	Luther	Purfeerst	Vega
Dieterich	Humphrey	Merriam	Sikorski	Wegener
Gearly	Johnson	Olhoff	Solon	
Gunderson	Keefe, S.	Olson	Stokowski	

Those who voted in the negative were:

Bang	Engler	Knutson	Pillsbury	Ueland, A.
Barrette	Frederick	Laufenburger	Renneke	Ulland, J.
Bernhagen	Jensen	Menning	Rued	
Brataas	Keefe, J.	Ogdahl	Schmitz	
Chmielewski	Knaak	Omann	Sieloff	
Davies	Knoll	Penny	Stern	

So the bill failed to pass.

NOTICE OF RECONSIDERATION

Mr. Davies gave notice of intention to move for reconsideration of S. F. No. 121.

SPECIAL ORDER

S. F. No. 1762: A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article XI, by adding a section; allowing state spending to be a fixed

proportion of state personal income; providing a statute implementing the amendment.

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 7, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Perpich	Solon
Bang	Gunderson	Knutson	Pillsbury	Stern
Barrette	Hanson	Laufenburger	Purfeerst	Stokowski
Benedict	Hughes	Luther	Renneke	Strand
Bernhagen	Humphrey	Menning	Rued	Ueland, A.
Chmielewski	Jensen	Olhoft	Schmitz	Ulland, J.
Dieterich	Keefe, J.	Olson	Setzepfandt	Vega
Engler	Kleinbaum	Omann	Sieloff	Wegener
Frederick	Knaak	Penny	Sikorski	

Those who voted in the negative were:

Brataas	Johnson	Merriam	Ogdahl	Stumpf
Davies	Keefe, S.			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1878: A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; providing for mandatory uninsured motorist coverage; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.49, by adding a subdivision; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6.

Mr. Davies moved that the amendment made to H. F. No. 1878 by the Committee on Rules and Administration in the report adopted April 1, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1878 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Stumpf
Bang	Gunderson	Luther	Renneke	Tennessee
Barrette	Hughes	Menning	Rued	Ueland, A.
Brataas	Johnson	Merriam	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Olhoft	Setzepfandt	Vega
Davies	Knaak	Olson	Sikorski	Wegener
Dieterich	Knoll	Omann	Stern	
Engler	Knutson	Penny	Stokowski	
Frederick	Laufenburger	Perpich	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 140: A bill for an act relating to real estate; enacting the uniform condominium act; providing for taxation as a separate parcel; regulating eminent domain awards; regulating the creation of condominiums; protecting the purchasers of condominiums; regulating condominium declaration; regulating the management of condominiums.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Strand
Bang	Gunderson	Laufenburger	Perpich	Stumpf
Barrette	Hughes	Lessard	Pillsbury	Ueland, A.
Benedict	Humphrey	Luther	Renneke	Ulland, J.
Brataas	Jensen	Menning	Rued	Vega
Chmielewski	Johnson	Merriam	Schmitz	Wegener
Davies	Keefe, J.	Ogdahl	Setzpfandt	
Dieterich	Keefe, S.	Olhoff	Sikorski	
Engler	Knaak	Olson	Solon	
Frederick	Knoll	Omann	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2019: A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Stokowski
Bang	Gearty	Lessard	Pillsbury	Strand
Barrette	Gunderson	Luther	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Renneke	Ueland, A.
Bernhagen	Jensen	Nelson	Rued	Ulland, J.
Brataas	Johnson	Ogdahl	Schaaf	Vega
Chmielewski	Keefe, S.	Olhoff	Schmitz	Wegener
Davies	Kirchner	Olson	Setzpfandt	
Dieterich	Knaak	Omann	Sikorski	
Engler	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mrs. Staples moved that the following members be excused for a Conference Committee on S. F. No. 702:

Messrs. Nelson, Kirchner and Mrs. Staples. The motion prevailed.

SPECIAL ORDER

H. F. No. 2045: A bill for an act relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.

Mr. Ogdahl moved to amend H. F. No. 2045, as amended pursuant to Rule 49, adopted by the Senate April 1, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1806.)

Page 2, after line 32, insert:

"Subd. 9. "Business loan" means a loan, other than a pollution control loan, to the owner of a small business for the interim or long term financing of capital expenditures for the acquisition or improvement of land, construction or improvement of buildings, or acquisition and installation of fixtures and equipment useful for the conduct of the business."

Page 2, line 33, delete "9" and insert "10"

Page 3, line 5, delete "as"

Page 3, line 6, after "694-2," delete "and" and insert "as"

Page 3, after line 28, insert:

"Because of its ability to pool or combine loans to be funded from one or more issues of bonds, the agency will be able to spread its financing costs among the small businesses to which the agency makes loans, thereby reducing costs incurred by each small business."

Page 6, line 14, after "purchasing" insert "business loans and"

Page 6, after line 16, insert:

"Subd. 2. The agency may participate with financial institutions in making or purchasing business loans not exceeding \$1,000,000 in principal amount, to be serviced by such institutions, provided that:

(a) The agency's share shall not exceed 90 percent of the total principal amount, and shall be payable with interest at the same times but not necessarily at the same interest rate as the share of the financial institution, and both shares shall be equally and ratably secured by a valid mortgage on or security interest in real and personal property;

(b) The total principal amount shall not exceed 90 percent of the value of the property securing the loan, unless the amount in

excess of 90 percent is:

(1) Loaned from available funds which are not proceeds received directly from the sale of the agency's bonds or notes and are not restricted under the terms of any resolution or indenture securing bonds or notes, or

(2) Insured or guaranteed by a federal agency or by a private insurer qualified to write such insurance in the state, insuring a percentage of any claim for loss at least equal to that percentage of the value by which the loan exceeds 90 percent thereof;

(c) The value of the property securing the loan shall be certified by the participating financial institution, on the basis of such appraisals, bids, purchase orders, and engineers' certificates as the agency may require; provided that the value of items purchased and constructed from the proceeds of the loan shall not be deemed to exceed the contract price of purchase or construction;

(d) The agency shall not disburse funds under a commitment to participate in a loan for the construction or substantial improvement of property until the construction or improvement has been completed in accordance with plans and specifications, unless the financial institution furnishes an irrevocable letter of credit or a qualified corporate surety furnishes payment and performance bonds, satisfactory to the agency and in an aggregate amount equal to the amount payable under the construction contract; and

(e) No other indebtedness may be secured by a mortgage on or security interest in property securing a business loan made or purchased pursuant to this subdivision."

Renumber the subdivisions in sequence

Page 7, line 11, after "loan" insert "or business"

Page 9, line 24, after the period insert "Obligations issued to participate in making or purchasing business loans pursuant to section 3, subdivision 2, shall be payable solely from revenues derived by the agency from repayments of such loans and from enforcement of the security therefor, or from a general reserve fund irrevocably pledged and appropriated to pay principal and interest due, for which other funds are not available. No such obligations shall be issued at any time unless the amount then held or then deposited in the general reserve fund equals at least ten percent of the aggregate principal amount of all such obligations then issued and then outstanding."

Page 11, line 1, delete "pollution control" and insert "small business"

The motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend H. F. No. 2045, as amended pursuant to Rule 49, adopted by the Senate April 1, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1806.)

Page 9, line 20, delete "\$20,000,000" and insert "\$30,000,000"

The motion prevailed. So the amendment was adopted.

H. F. No. 2045 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Pillsbury	Strand
Bang	Gearty	Lessard	Purfeerst	Stumpf
Barrette	Hughes	Menning	Renneke	Ueland, A.
Benedict	Humphrey	Ogdahl	Rued	Ulland, J.
Bernhagen	Jensen	Olhoft	Schmitz	Vega
Brataas	Johnson	Olson	Setzepfandt	Wegener
Chmielewski	Kleinbaum	Omann	Sikorski	
Dieterich	Knaak	Penny	Solon	
Engler	Knutson	Perpich	Stokowski	

Those who voted in the negative were:

Davies	Keefe, S.	Knoll	Luther	Merriam
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2429: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Mr. Solon moved that the amendment made to H. F. No. 2429 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.

Mr. Solon then moved that the Solon amendment to H. F. No. 2429 adopted by the Senate March 31, 1980 be stricken. The motion prevailed. So the amendment was stricken.

Mr. Sikorski moved to amend H. F. No. 2429 as follows:

Page 1, line 15, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 2, line 18, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 2, line 22, after the second "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 3, line 24, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 3, line 28, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

The motion prevailed. So the amendment was adopted.

Mr. Bang moved to amend H. F. No. 2429 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 48.153, is amended to read:

48.153 [INSTALLMENT LOANS; FINANCE CHARGES; MINIMUM CHARGES.] Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such the loan to be computed at a rate which does not exceed 12 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral. Any savings bank organized pursuant to chapter 50, and any savings association or savings and loan association subject to the provisions of sections 51A.01 to 51A.57 and any savings and loan association chartered under the laws of the United States having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$7,500 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to $1/365$ of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10. No loan shall be made pursuant to this section if over 50 percent of the proceeds of the loan are used to finance the purchase of a borrower's primary residence other than a mobile home."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to financial institutions; granting

certain lending powers to savings associations and savings and loan associations; providing for interest rates on certain installment loans; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 48.153; 334.02; 334.03; and Chapter 48, by adding a section."

The motion prevailed. So the amendment was adopted.

Mr. Engler moved to amend H. F. No. 2429 as follows:

Page 3, after line 30, insert:

"Sec. 5. With the prior approval of the commissioner of banks, any bank doing business within the town of Castle Rock in Dakota County may establish and maintain not more than one detached facility within the town of Castle Rock. Any bank desiring to establish a detached facility shall follow the approval procedure prescribed in Minnesota Statutes, Section 47.54. The establishment of a detached facility in the town shall be subject to the provisions of Minnesota Statutes, Sections 47.51 to 47.57 except insofar as inconsistent with this section."

Page 3, line 3, delete "This act is" and insert "Sections 1 to 4 are"

Page 4, line 5, after the period, insert "Section 5 is effective when approved by the town board of the town of Castle Rock and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the sections in sequence

Amend the Bang title amendment as follows:

Page 2, line 28, after the semicolon, insert "authorizing the establishment of a detached banking facility in the town of Castle Rock;"

Mr. Solon questioned whether the amendment was germane.

The President ruled the amendment was germane.

The question was taken on the adoption of the amendment.

The motion prevailed. So the amendment was adopted.

H. F. No. 2429 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 6, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knaak	Penny	Solon
Barrette	Frederick	Knoll	Peterson	Strand
Benedict	Gearty	Laufenburger	Pillsbury	Ueland, A.
Bernhagen	Gunderson	Luther	Purfeerst	Ulland, J.
Brataas	Humphrey	Nelson	Rued	Vega
Davies	Keefe, S.	Nichols	Schmitz	Wegener
Dieterich	Kirchner	Olson	Setzepfandt	
Dunn	Kleinbaum	Omann	Sikorski	

Those who voted in the negative were:

Hughes	Menning	Merriam	Olhoft	Perpich
Johnson				

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

SPECIAL ORDER

H. F. No. 2090: A bill for an act relating to intoxicating liquor; authorizing the issuance of Sunday sales licenses by county boards in unorganized territory without voter approval; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

Mr. Johnson moved that the amendment made to H. F. No. 2090 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. 2090 was then progressed.

SPECIAL ORDER

H. F. No. 2268: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Mr. Kirchner moved to amend H. F. No. 2268, 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. 2161.)

Page 3, line 30, delete everything after "2." and insert "*With respect to specific transactions between a bank holding company and a state bank affiliate, the commissioner shall have the authority to examine the records of the holding company that pertain to the transactions to the same extent as if the holding company were a state bank or trust company.*"

Page 3, delete lines 31 to 33

Page 4, delete lines 1 and 2

Page 4, line 3, delete everything before "*For*"

The motion prevailed. So the amendment was adopted.

Mr. Nichols moved to amend H. F. No. 2268, 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. 2161.)

Page 4, after line 7, insert:

"Sec. 2. Minnesota Statutes 1978, Section 46.07, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding subdivision 2, on August 1, 1980, and annually thereafter, the commissioner shall make available for public inspection a list for each bank of all individuals, associations and corporations owning 15 percent or more of the outstanding shares of any class of stock of the bank. Banks shall provide this list to the commissioner upon his request."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring availability of bank ownership information;"

Page 1, line 6, delete "Section" and insert "Sections 46.07, by adding a subdivision; and"

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

H. F. No. 2268 was then progressed.

RECESS

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

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

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Olson, Menning, Wegener, Chmielewski and Penny introduced—

S. F. No. 2423: A bill for an act relating to taxation; motor vehicle excise tax; providing that the proceeds from the transfer of a new motor vehicle shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

Referred to the Committee on Transportation.

Messrs. Sieloff, Merriam, Frederick, Davies and Peterson introduced—

S. F. No. 2424: A bill for an act relating to taxation; recodifying the income tax laws; deleting obsolete provisions; amending

Minnesota Statutes 1978, as amended by Laws of Minnesota by adding sections; repealing Minnesota Statutes 1978, Chapter 290, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Omann, Setzepfandt, Engler and Rued introduced—

S. F. No. 2425: A resolution memorializing the President and Congress to take immediate action to provide necessary and adequate credit to the American farmer to ensure timely spring planting.

Referred to the Committee on Rules and Administration.

Mr. Kleinbaum introduced—

S. F. No. 2426: A bill for an act relating to taxation; income tax; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 2427: A bill for an act relating to taxation; income tax; providing a credit for contributions to institutions of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 2428: A bill for an act relating to natural resources; providing for a legislative study commission to study the effect of the increasing use of firewood on the forests of the state; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson and Menning introduced—

S. F. No. 2429: A bill for an act relating to transportation; requiring the early construction of trunk highway marked No. 60 between Worthington and St. James.

Referred to the Committee on Transportation.

Messrs. Menning, Chmielewski, Omann and Schmitz introduced—

S. F. No. 2430: 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.

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.

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. 2470: Messrs. Moe; Tennessen; Humphrey; Kleinbaum; Keefe, J.

H. F. No. 1662: Mrs. Staples, Messrs. Nelson, Ogdahl.

H. F. No. 1931: Messrs. Stumpf, Hughes, Mrs. Brataas.

H. F. No. 729: Messrs. Vega; Nelson; Keefe, J.

H. F. No. 1302: Messrs. Bang, Laufenburger, Johnson.

H. F. No. 2040: Messrs. Tennessen; Keefe, J.; Stern.

H. F. No. 1816: Messrs. Solon, Nelson, Vega.

H. F. No. 1201: Messrs. Dunn, Nichols, Peterson.

H. F. No. 1612: Messrs. Sikorski, Merriam, Engler.

H. F. No. 1847: Messrs. Sikorski; Nelson; Keefe, J.

H. F. No. 1534: Messrs. Strand, Lessard, Frederick.

H. F. No. 2082: Messrs. Schaaf; Keefe, S.; Johnson; Ueland, A.; Jensen.

H. F. No. 874: Messrs. Schaaf; Dieterich; Keefe, J.

H. F. No. 2187: Messrs. Luther; Stern; Keefe, J.

H. F. No. 1095: Messrs. Hanson, Bernhagen, Merriam.

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

Pursuant to Rule 21, Mr. Stern moved that the following members be excused for a Conference Committee on H. F. No. 2040:

Messrs. Stern; Keefe, J. and Tennesen. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that S. F. No. 599, on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Schmitz moved that S. F. No. 2203, on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

MEMBERS EXCUSED

Mr. Sieloff was excused from the Session of today at 4:30 o'clock p.m. Mr. Sikorski was excused from the Session of today from 11:45 o'clock a.m. to 12:45 o'clock p.m. Mr. Tennesen was excused from the Session of today from 3:18 to 4:15 o'clock p.m. Mr. Lessard was excused from the Session of today from 3:20 to 4:25 o'clock p.m. Mr. Ogdahl was excused from the Session of today at 5:00 o'clock p.m. Messrs. Penny, Knoll and Barrette were excused from the Session of today from 3:00 to 4:00 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, April 3, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate