

**NINETY-THIRD DAY**

St. Paul, Minnesota, Thursday, April 3, 1980

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

**CALL OF THE SENATE**

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

Anderson	Dieterich	Kleinbaum	Penny	Spear
Ashbach	Dunn	Laufenburger	Perpich	Staples
Bang	Gearty	Luther	Pillsbury	Stern
Barrette	Hanson	Menning	Purfeerst	Stokowski
Bernhagen	Hughes	Moe	Renneke	Stumpf
Chmielewski	Jensen	Ogdahl	Rued	Tennessee
Coleman	Johnson	Olhoft	Setzepfandt	Vega
Davies	Keefe, S.	Omann	Solon	Willet

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

Prayer was offered by the Chaplain, Senator Emery Barrette.

**MEMBERS EXCUSED**

Messrs. Sillers and Lessard were excused from the Session of today. Mr. Menning was excused from the Session of today at 2:30 o'clock p.m. Mr. Knoll was excused from the Session of today from 2:30 to 3:45 o'clock p.m.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 11:00 o'clock a.m. The motion prevailed.

The hour of 11:00 o'clock a.m. having arrived, the President called the Senate to order.

**RECESS**

Mr. Keefe, S. moved that the Senate do now recess until 2:00 o'clock p.m. The motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1121:

Messrs. Peterson, Hanson, Johnson and McCutcheon. The motion prevailed.

### CALL OF THE SENATE

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

Barrette	Gunderson	Menning	Perpich	Stokowski
Benedict	Hughes	Merriam	Purfeerst	Stumpf
Brataas	Johnson	Moe	Rued	Tennessen
Chmielewski	Keefe, S.	Nelson	Schaaf	Ueland, A.
Dieterich	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Knutson	Olson	Sikorski	Vega
Engler	Laufenburger	Omann	Staples	Willet
Gearty	Luther	Penny	Stera	

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

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

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

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

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

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 1, 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
	1207	426	April 1	April 1
	1408	427	April 1	April 1
	1732	428	April 1	April 1
	1834	429	April 1	April 1
	2024	430	April 1	April 1
	2047	431	April 1	April 1
1675		432	April 1	April 1
1797		433	April 1	April 1
2168		434	April 1	April 1

Sincerely,  
Joan Anderson Growe,  
Secretary of State

#### MOTIONS AND RESOLUTIONS

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

#### SPECIAL ORDER

H. F. No. 870: A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 141.35.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Merriam	Peterson	Stern
Barrette	Johnson	Moe	Pillsbury	Stokowski
Benedict	Keefe, J.	Nelson	Purfeerst	Strand
Chmielewski	Keefe, S.	Nichols	Renneke	Stumpf
Dieterich	Kleinbaum	Ogdahl	Rued	Ulland, J.
Dunn	Knaak	Olhoff	Schmitz	Vega
Engler	Knoll	Olson	Setzepfandt	Wegener
Frederick	Knutson	Omann	Sieloff	Willet
Gearty	Laufenburger	Penny	Sikorski	
Gunderson	Luther	Perpich	Staples	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 2302: A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened.

Mr. Laufenburger moved to amend H. F. No. 2302, as amended pursuant to Rule 49, adopted by the Senate March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2284.)

Page 1, line 13, after "thereof" insert ", for a period of not less than one year,"

Page 1, line 15, delete "had"

Page 1, line 16, delete "in good standing" and delete "or another"

Mr. Olhoff requested division of the amendment as follows:

First portion:

Page 1, line 13, after "thereof" insert ", for a period of not less than one year,"

Second portion:

Page 1, line 15, delete "had"

Page 1, line 16, delete "in good standing" and delete "or another"

The question was taken on the adoption of the first portion of the Laufenburger amendment. The motion prevailed. So the first portion of the amendment was adopted.

**CALL OF THE SENATE**

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 2302. The following Senators answered to their names:

Anderson	Gearty	Laufenburger	Perpich	Stokowski
Bang	Gunderson	Luther	Peterson	Strand
Bernhagen	Hughes	Merriam	Pillsbury	Stumpf
Chmielewski	Jensen	Moe	Rued	Tennessee
Davies	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knaak	Olhoff	Solon	Willet
Engler	Knutson	Olson	Spear	

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

The question was taken on the adoption of the second portion of the Laufenburger amendment.

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

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

The roll was called, and there were yeas 23 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Olson	Ueland, A.
Barrette	Gunderson	Knutson	Omann	Ulland, J.
Bernhagen	Jensen	Laufenburger	Pillsbury	Wegener
Dieterich	Keefe, J.	Nichols	Renneke	
Dunn	Kleinbaum	Ogdahl	Sieloff	

Those who voted in the negative were:

Anderson	Hughes	Merriam	Peterson	Stokowski
Chmielewski	Keefe, S.	Moe	Schaaf	Stumpf
Davies	Luther	Olhoff	Sikorski	Willet
Gearty	McCutcheon	Perpich	Spear	

The motion prevailed. So the second portion of the amendment was adopted.

H. F. No. 2302 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 33 and nays 25, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Rued	Strand
Barrette	Johnson	Nichols	Setzepfandt	Ueland, A.
Bernhagen	Keefe, J.	Olson	Sieloff	Ulland, J.
Chmielewski	Kleinbaum	Omann	Solon	Wegener
Dunn	Knaak	Penny	Staples	Willet
Engler	Knutson	Pillsbury	Stern	
Gearty	Laufenburger	Purfeerst	Stokowski	

Those who voted in the negative were:

Anderson	Frederick	Luther	Ogdahl	Sikorski
Ashbach	Hanson	McCutcheon	Olhoff	Spear
Benedict	Hughes	Merriam	Perpich	Stumpf
Davies	Humphrey	Moe	Peterson	Tennessee
Dieterich	Keefe, S.	Nelson	Schaaf	Vega

So the bill, as amended, failed to pass.

#### SPECIAL ORDER

S. F. No. 1941: A bill for an act relating to corrections; creating an advisory task force; appropriating money for local correctional facility construction; authorizing issuance of state bonds; amending Minnesota Statutes 1978, Section 241.022, Subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Nelson	Schaaf	Stokowski
Ashbach	Hughes	Nichols	Schmitz	Strand
Bang	Humphrey	Ogdahl	Setzepfandt	Stumpf
Barrette	Jensen	Olhoff	Sieloff	Tennessee
Benedict	Johnson	Olson	Sikorski	Vega
Bernhagen	Keefe, S.	Omann	Solon	Wegener
Chmielewski	Knaak	Perpich	Spear	Willet
Davies	Knutson	Purfeerst	Staples	
Dieterich	Merriam	Renneke	Stern	

Mr. Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 1696: A bill for an act relating to the legislature; proposing an amendment to Article IV, Section 23 of the Minnesota Constitution; extending the ordinary period for the governor to consider vetoing a bill; providing for a "veto session" of the legislature at which it may consider overriding a governor's veto of a bill returned after the legislature's adjournment.

Mr. Davies moved to amend S. F. No. 1696 as follows:

Page 2, line 31, delete "fourth" and insert "fifth"

The motion prevailed. So the amendment was adopted.

S. F. No. 1696 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 32 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Nichols	Solon	Tennessee
Benedict	Keefe, S.	Olhoff	Spear	Vega
Chmielewski	Laufenburger	Olson	Staples	Wegener
Davies	Luther	Perpich	Stern	Willet
Dieterich	Merriam	Schaaf	Stokowski	
Gearty	Moe	Schmitz	Strand	
Gunderson	Nelson	Sikorski	Stumpf	

Those who voted in the negative were:

Bang	Frederick	Knoll	Penny	Rued
Barrette	Jensen	Knutson	Pillsbury	Sieloff
Bernhagen	Keefe, J.	Ogdahl	Purfeerst	Ulland, J.
Engler	Knaak	Omann	Renneke	

So the bill, as amended, failed to pass.

#### SPECIAL ORDER

H. F. No. 1995: A bill for an act relating to health care; exclud-

ing coverage of certain services in the Comprehensive Health Insurance plan; extending the pre-existing condition period; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Section 62E.12.

Mrs. Staples moved that the amendment made to H. F. No. 1995 by the Committee on Rules and Administration in the report adopted April 2, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mrs. Staples then moved to amend H. F. No. 1995 as follows:

Page 2, delete section 2

Page 3, line 7, delete everything after the period

Page 3, line 8, delete everything before "The"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "condition period;"

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

Page 1, line 9, delete "62E.14, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1995 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Merriam	Rued	Strand
Ashbach	Gearty	Nelson	Schaaf	Stumpf
Barrette	Gunderson	Olhoft	Setzepfandt	Tennessen
Benedict	Hughes	Olson	Sieloff	Ueland, A.
Bernhagen	Keefe, J.	Omann	Sikorski	Ulland, J.
Chmielewski	Knaak	Penny	Solon	Vega
Davies	Knoll	Perpich	Spear	Wegener
Dieterich	Knutson	Pillsbury	Staples	Willet
Dunn	Laufenburger	Purfeerst	Stern	
Engler	Luther	Renneke	Stokowski	

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

#### SPECIAL ORDER

H. F. No. 1823: A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Olhoft	Schaaf	Strand
Ashbach	Gearty	Olson	Setzepfandt	Stumpf
Barrette	Gunderson	Omann	Sieloff	Tennesen
Benedict	Hughes	Penny	Sikorski	Ueland, A.
Bernhagen	Humphrey	Perpich	Solon	Ulland, J.
Davies	Keefe, J.	Pillsbury	Spear	Vega
Dieterich	Luther	Purfeerst	Staples	Wegener
Dunn	Merriam	Renneke	Stern	Willet
Engler	Nelson	Rued	Stokowski	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1838: A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.

Mr. Dieterich moved to amend H. F. No. 1838 as follows:

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 1978, Section 290.09, Subdivision 17, is amended to read:

Subd. 17. [TAXES AND INTEREST PAID TO COOPERATIVE APARTMENT CORPORATION.] In the case of a tenant-stockholder as defined herein, amounts, not otherwise deductible, paid or accrued to a cooperative apartment corporation within the taxable year, if such amounts represent that proportion of (a) the real estate taxes (allowable as deductions under subdivision 4) paid or incurred by the corporation on the apartment building and the land on which it is situated, and (b) the interest (allowable as a deduction under subdivision 3) paid or incurred by the corporation on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is located, which the stock of the corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation.

As used in this subdivision the term "cooperative apartment corporation" means a corporation

(a) having one and only one class of stock outstanding,

(b) all of the stockholders of which are entitled, solely by reason of their ownership of stock in the corporation, to occupy for dwelling purposes apartments in a building owned or leased by such corporation, and who are not entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution not out of earnings and profits of the corporation, and



(c) 80 percent or more of the gross income of which for the taxable year in which the taxes and interest described in this subdivision are paid or incurred is derived from tenant-stockholders.

The term "tenant-stockholders" means an individual who is a stockholder in a cooperative apartment corporation, and whose stock is fully paid up in an amount not less than an amount shown to the satisfaction of the commissioner as bearing a reasonable relationship to the portion of the value of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy. *For purposes of this subdivision, if a bank or other lending institution acquires by foreclosure, or by instrument in lieu of foreclosure, the stock of a tenant-stockholder, and a lease or the right to occupy an apartment to which the stock is appurtenant, the bank or other lending institution shall be treated as a tenant-stockholder for a period not to exceed three years from the date of acquisition. The preceding sentence shall apply even though, by agreement with the cooperative apartment corporation, the bank or other lending institution, or its nominee, may not occupy the apartment without the prior approval of the corporation.*

Sec. 3. Minnesota Statutes 1978, Section 290.09, is amended by adding a subdivision to read:

*Subd. 17a. If the original seller acquires any stock of a cooperative apartment corporation (1) from the corporation by purchase, or (2) by foreclosure, or by instrument in lieu of foreclosure, of any purchase-money security interest in stock of the corporation held by the original seller, for purposes of subdivision 17, the original seller shall be treated as a tenant-stockholder for a period not to exceed three years from the date of acquisition. This subdivision shall apply with respect to any acquisition of stock of a cooperative apartment corporation only if, together with acquisition, the original seller acquires the right to occupy an apartment to which the stock is appurtenant. For purposes of the preceding sentence, there shall not be taken into account the fact that, by agreement with a cooperative apartment corporation, the original seller or its nominee may not occupy an apartment without the prior approval of the corporation. The term "original seller" means the person or corporation from whom the cooperative apartment corporation has acquired the apartments or leaseholds therein."*

Page 2, line 21, delete "This act" and insert "Sections 1 and 2"

Page 2, line 23, after the period insert "Sections 3 and 4 are effective for taxable years beginning after December 31, 1979."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "allowing lending institutions and original sellers to qualify as tenant-stockholders of cooperative apartment corporations;"

Page 1, line 5, delete "Section" and insert "Sections" and after "1" insert "; and 290.09, Subdivision 17, and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1838 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 273.13, is amended by adding a subdivision to read:

*Subd. 17d. [NEIGHBORHOOD REAL ESTATE TRUSTS.] When a structure, consisting of one or more dwelling units, is owned by a neighborhood real estate trust and at least 60 percent of the dwelling units are leased to or occupied by a lower income family as defined by section 8 of the United States Housing Act of 1937, as amended, the structure shall be assessed at 20 percent of the market value. This subdivision shall not apply to any portion of the structure used for nonresidential purposes.*

*For purposes of this subdivision, neighborhood real estate trust means an entity which (a) is a nonprofit corporation organized under chapter 317; (b) has as its principal purpose providing housing for lower income families in a specific geographic community designated in its articles or bylaws; (c) limits membership with voting rights to residents of the designated community; and (d) has a board of directors consisting of at least seven directors, 60 percent of whom are voting members and 25 percent of whom are elected by resident members of buildings owned by the trust."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "providing for the assessment of neighborhood real estate trusts;"

Page 1, line 5, delete "Section" and insert "Sections 273.13, by adding a subdivision; and"

The motion prevailed. So the amendment was adopted.

H. F. No. 1838 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Knoll	Omann	Schaaf
Ashbach	Dieterich	Knutson	Penny	Schmitz
Bang	Engler	Luther	Perpich	Setzepfandt
Barrette	Gearly	Merriam	Pillsbury	Sieloff
Benedict	Hughes	Nelson	Purfeerst	Solon
Bernhagen	Humphrey	Olhoff	Renneke	Spear
Chmielewski	Knaak	Olson	Rued	Stern

Stakowski	Stumpf	Ueland, A.	Wegener	Willet
Strand	Tennessee	Vega		

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

#### RECONSIDERATION

Mr. Davies moved that the vote whereby S. F. No. 121 failed to pass the Senate on April 2, 1980, be now reconsidered. The motion prevailed.

Mr. Davies moved that S. F. No. 121 be laid on the table. The motion prevailed.

Pursuant to Rule 21, Mr. Perpich moved that the following members be excused for a Conference Committee on H. F. No. 475 from 4:00 to 5:00 p.m.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1843 and the Conference Committee Report thereon were reported to the Senate.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1843

A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

March 31, 1980

The Honorable Edward J. Gearty  
President of the Senate

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

We, the undersigned conferees for S. F. No. 1843, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and S. F. No. 1843 be further amended as follows:

Page 4, line 7, before "potential" insert "present or"

Page 4, line 8, after "rail" insert "freight or"

Page 4, delete lines 13 to 21 and insert

*"The commissioner shall provide for the maintenance including control of weeds, of any right-of-way that is included in the rail bank. The commissioner shall provide for the maintenance and management of any right-of-way that is acquired under the rail bank program in a manner that minimizes maintenance costs and*

*provides a benefit to the state. The commissioner may also require that any existing railroad track that is included in the acquired right-of-way shall not be removed during the period the right-of-way is included in the state rail bank."*

Page 4, line 28, before "area" delete "the" and insert "each"

Page 5, line 28, before the period insert "at its fully appraised value"

Page 6, after line 24, insert:

*"Sec. 5. The commissioner of natural resources may, in the same manner as provided by law for the sale of trust fund lands, sell at public auction the lands and interests in lands relating to the abandoned railway line located in Mower and Fillmore Counties which were acquired by the state in 1978 from the Chicago and Northwestern Transportation Company and which lie between the intersection of U.S. Highways 16 and 63 near the city of Spring Valley in Fillmore County and the intersection of the railway line with the Minnesota and Iowa border at a point southwest of LeRoy in Mower County. The commissioner may subdivide the lands and interests in lands into smaller parcels for the purpose of this sale.*

*Sec. 6. In any county in which a combination railroad and highway bridge is closed the county board may lease or purchase such bridge. The subsequent use and operation of the combination bridge shall conform to and be compatible with the existing uses adjoining both sides of that bridge. The county board may establish and from time to time adjust tolls to be charged for vehicular use of the bridge at the rate or rates and on the basis the county board may deem appropriate to provide revenues sufficient to finance the lease, purchase, operation, repair, and maintenance of the bridge and toll facilities. The revenues from the bridge tolls shall only be used for the lease, purchase, repair, operation, and maintenance of the bridge and toll facilities. Notwithstanding the provisions of this section, if the state purchases the combination bridge the county may lease the bridge from the state by contract.*

Sec. 7. Minnesota Statutes 1978, Chapter 222, is amended by adding a section to read:

[222.64] [EMPLOYMENT PREFERENCE.] *Individuals who have been previously employed by railroads, whose users obtain guaranteed loans or other assistance pursuant to sections 222.46 to 222.64, shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad benefiting from those loans or other assistance.*

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

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for the sale of certain abandoned railway lines in certain counties; providing for the purchase or lease of certain bridges by counties,

authorizing toll charges for vehicular use thereof, and specifying the purposes for which the revenue may be used; providing for employment preferences for certain rail employees under certain circumstances;”

Page 1, lines 4 and 5, delete “a section” and insert “sections”

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Irving M. Stern, Timothy J. Penny, William G. Kirchner

House Conferees: (Signed) Arlene I. Lehto, Bruce Anderson, Delbert F. Anderson

### CALL OF THE SENATE

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

Anderson	Engler	Knaak	Renneke	Stern
Ashbach	Frederick	Knoll	Rued	Stokowski
Bang	Gearty	Knutson	Schmitz	Strand
Barrette	Gunderson	Luther	Setzepfand	Stumpf
Benedict	Hughes	Olhoff	Sieloff	Ueland, A.
Bernhagen	Jensen	Omann	Sikorski	Ulland, J.
Davies	Johnson	Penny	Solon	Vega
Dunn	Keefe, S.	Purfeerst	Spear	Willet

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

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 2470 at 4:00 p.m.:

Messrs. Moe, Humphrey, Tennesen, Kleinbaum and Keefe, J. The motion prevailed.

Mr. Stern moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1843 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1843 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 41 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Nelson	Renneke	Strand
Bang	Gunderson	Ogdahl	Rued	Ueland, A.
Benedict	Hanson	Olhoff	Schaaf	Ulland, J.
Bernhagen	Hughes	Olson	Schmitz	Wegener
Chmielewski	Keefe, S.	Omann	Setzepfand	Willet
Coleman	Knaak	Penny	Sikorski	
Dunn	Knutson	Perpich	Staples	
Engler	Luther	Peterson	Stern	
Frederick	Merriam	Pillsbury	Stokowski	

Those who voted in the negative were:

Aashbach	Dieterich	Laufenburger	Sieloff	Stumpf
Barrette	Jensen	Purfeerst	Solon	Vega
Davies	Knoll			

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

#### MEMBERS EXCUSED

Mr. Sikorski was excused from the Session of today from 2:45 to 3:15 o'clock p.m. and from 3:45 to 4:15 o'clock p.m.

#### RECESS

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

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 6:00 o'clock p.m., Monday, April 7, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate