

SECOND SPECIAL SESSION

SECOND DAY

St. Paul, Minnesota, Thursday, July 2, 1981

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

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

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

Ashbach	Dicklich	Kroening	Pehler	Sikorski
Bang	Dieterich	Kronebusch	Penny	Solon
Belanger	Engler	Langseth	Peterson, C.C.	Stokowski
Benson	Frank	Lantry	Peterson, D.L.	Taylor
Berg	Frederick	Lessard	Peterson, R.W.	Tennessee
Berglin	Frederickson	Lindgren	Petty	Ulland
Bernhagen	Hanson	Luther	Purfeerst	Vega
Bertram	Hughes	Menning	Ramstad	Waldorf
Brataas	Humphrey	Merriam	Renneke	Wegener
Chmielewski	Johnson	Moe, D.M.	Rued	Willet
Dahl	Kamrath	Moe, R.D.	Schmitz	
Davies	Keefe	Nelson	Setzepfandt	
Davis	Knoll	Olhoft	Sieloff	

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

Messrs. Knutson, Pillsbury, Spear, Stern and Stumpf were excused from the Session of today. Mr. Lessard was excused from the Session of today from 11:15 a.m. to 1:30 p.m. Mr. Knoll was excused from the Session of today from 11:30 a.m. to noon. Mr. Olhoft was excused from the Session of today from 3:30 to 4:10 p.m.

MOTIONS AND RESOLUTIONS

RECONSIDERATION

Mr. Sikorski moved that the vote whereby H. F. No. 1 failed to pass the Senate on July 1, 1981, be now reconsidered. The motion prevailed.

H.F. No. 1: A bill for an act relating to the financing of state government;

clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; requiring a study of the state's cash management; requiring plan to reduce short-term borrowing; amending Minnesota Statutes 1980, Sections 16A.128, as amended, and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Minnesota Statutes 1980, Sections 16A.67; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

Mr. Sieloff moved to amend H.F. No. 1 as follows:

Page 7, after line 26, insert:

“Sec. 7. [REDUCTION OF APPROPRIATIONS.]

Notwithstanding any other law to the contrary, any and all appropriations and any line items thereof from the general fund shall, in addition to any other reductions, limitations, cancellations, or abatements required or authorized by law, be reduced by two percent thereof with respect to amounts expended or to be expended from and after January 1, 1982. This does not apply to repayments or payments to any sinking fund for bonds, certificates of indebtedness, and other contractual obligations, nor shall it apply in any case it would cause any violation of federal law or impairment of obligation of contract by or with the state of Minnesota.”

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Keefe	Ramstad	Ulland
Bang	Brataas	Kronebusch	Renneke	Waldorf
Belanger	Engler	Lindgren	Rued	
Benson	Frederick	Olhoft	Schmitz	
Berg	Frederickson	Peterson,C.C.	Sieloff	
Bernhagen	Kamrath	Peterson,D.L.	Taylor	

Those who voted in the negative were:

Berglin	Frank	Langseth	Nelson	Sikorski
Chmielewski	Hanson	Lantry	Pehler	Solon
Dahl	Hughes	Luther	Penny	Stokowski
Davies	Humphrey	Menning	Peterson,R.W.	Tennessen
Davis	Johnson	Merriam	Petty	Vega
Dicklich	Knoll	Moe, D. M.	Purfeerst	Wegener
Dieterich	Kroening	Moe, R. D.	Setzepfandt	Willet

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

H.F. No. 1 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 37 and nays 24, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Knoll	Nelson	Solon
Bang	Frank	Kroening	Peterson, C.C.	Stokowski
Berglin	Frederick	Lantry	Petty	Vega
Bertram	Hanson	Lessard	Purfeerst	Waldorf
Brataas	Hughes	Luther	Renneke	Wegener
Chmielewski	Humphrey	Menning	Schmitz	
Dahl	Johnson	Moe, D. M.	Setzepfandt	
Davis	Keefe	Moe, R. D.	Sikorski	

Those who voted in the negative were:

Belanger	Dieterich	Langseth	Penny	Taylor
Benson	Engler	Lindgren	Peterson, R. W.	Tennessee
Berg	Frederickson	Merriam	Ramstad	Ulland
Bernhagen	Kamrath	Olhoff	Rued	Willet
Davies	Kronebusch	Pehler	Sieloff	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Knoll introduced—

Senate Resolution No. 3: A Senate resolution congratulating Maureen Neerland for her recovery from cancer and the example she has provided to all Minnesotans.

Referred to the Committee on Rules and Administration.

Mr. Frederickson introduced—

Senate Resolution No. 4: A Senate resolution congratulating the Indians team from Sleepy Eye Public High School for winning the 1981 Class A State High School Baseball Championship.

Referred to the Committee on Rules and Administration.

Mr. Knoll introduced—

Senate Resolution No. 5: A Senate resolution extending congratulations to Leo and Dolly DeSouza on receiving American citizenship.

Referred to the Committee on Rules and Administration.

Without objection, the Senate proceeded 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.

Ms. Berglin introduced—

S.F. No. 5: A bill for an act relating to elections; correcting provisions for registration prior to election day, for publishing of sample general election ballots, and for setting certain election precinct boundaries; amending Minnesota Statutes 1980, Sections 201.061, Subdivision 1, as amended; and Laws 1981, Chapter 29, Article IV, Section 14, Subdivision 3, and Article VI,

Section 16, as amended; repealing Special Session Laws 1981, Chapter 4, Article III, Sections 1 and 2.

Mr. Moe, R.D. moved that S.F. No. 5 be laid on the table. The motion prevailed.

Mr. Langseth introduced—

S.F. No. 6: A bill for an act relating to local government; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Laws 1961, Chapter 605, Section 1.

Mr. Moe, R.D. moved that S.F. No. 6 be laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2, 3, 7 and 8.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 2, 1981

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2: A resolution memorializing the President and Congress to declare certain Minnesota counties to be disaster areas for the purpose of receiving federal disaster aid.

Mr. Moe, R.D. moved that H.F. No. 2 be laid on the table. The motion prevailed.

H.F. No. 3: A bill for an act relating to elections; correcting provisions for registration prior to election day, for publishing of sample general election ballots, and for setting certain election precinct boundaries; amending Minnesota Statutes 1980, Sections 201.061, Subdivision 1, as amended; and Laws 1981, Chapter 29, Article IV, Section 14, Subdivision 3, and Article VI, Section 16, as amended; repealing Special Session Laws 1981, Chapter 4, Article III, Sections 1 and 2.

Mr. Moe, R.D. moved that H.F. No. 3 be laid on the table. The motion prevailed.

H.F. No. 7: A bill for an act relating to the organization and operation of state government; correcting a provision relating to the weatherization program in the omnibus health, welfare, and corrections appropriations bill; amending Laws 1981, Chapter 360, Section 3.

Mr. Moe, R.D. moved that H.F. No. 7 be laid on the table. The motion prevailed.

H.F. No. 8: A bill for an act relating to financial institutions; excepting open

end credit from the bank loan interest rate; amending Laws 1981, Chapter 259, Section 1.

Mr. Moe, R.D. moved that H.F. No. 8 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Waldorf moved that H.F. No. 8 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Waldorf 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. 8 and that the rules of the Senate be so far suspended as to give H. F. No. 8 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 8 was read the second time.

H.F. No. 8: A bill for an act relating to financial institutions; excepting open end credit from the bank loan interest rate; amending Laws 1981, Chapter 259, Section 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Olhoft	Setzepfandt
Bang	Dieterich	Kronebusch	Peהלer	Sieloff
Belanger	Engler	Langseth	Penny	Sikorski
Berg	Frank	Lantry	Peterson, C. C.	Stokowski
Berglin	Frederick	Lessard	Peterson, D. L.	Taylor
Bernhagen	Frederickson	Lindgren	Peterson, R. W.	Tennessee
Bertram	Hanson	Luther	Petty	Ulland
Brataas	Hughes	Menning	Purfeerst	Vega
Chmielewski	Johnson	Merriam	Ramstad	Waldorf
Dahl	Kamrath	Moe, D. M.	Renneke	Wegener
Davis	Keefe	Moe, R. D.	Rued	Willet
Davis	Knoll	Nelson	Schmitz	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Berglin moved that H.F. No. 3 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Ms. Berglin 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. 3 and that the rules of the Senate be so far suspended as to give H. F. No. 3 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 3: A bill for an act relating to elections; correcting provisions for registration prior to election day, for publishing of sample general election ballots, and for setting certain election precinct boundaries; amending Minnesota Statutes 1980, Sections 201.061, Subdivision 1, as amended; and Laws 1981, Chapter 29, Article IV, Section 14, Subdivision 3, and Article VI, Section 16, as amended; repealing Special Session Laws 1981, Chapter 4, Article III, Sections 1 and 2.

H. F. No. 3 was read the second time.

Mr. Frederick moved to amend H.F. No. 3 as follows:

Page 2, line 18, after "one" insert "or which has a general city election before March 15 in a year ending in two"

The motion prevailed. So the amendment was adopted.

Ms. Berglin moved that H.F. No. 3 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Langseth moved that S.F. No. 6 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Langseth moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S. F. No. 6 and that the rules of the Senate be so far suspended as to give S. F. No. 6 its second and third reading and place it on its final passage. The motion prevailed.

S. F. No. 6 was read the second time.

S.F. No. 6: A bill for an act relating to local government; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Laws 1961, Chapter 605, Section 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Kroening	Penny	Sikorski
Belanger	Dieterich	Kronebusch	Peterson, C.C.	Solon
Benson	Engler	Langseth	Peterson, D.L.	Stokowski
Berg	Frank	Lantry	Peterson, R.W.	Tennessen
Berglin	Frederick	Lindgren	Petty	Vega
Bernhagen	Frederickson	Luther	Purfeerst	Waldorf
Bertram	Hanson	Menning	Ramstad	Wegener
Brataas	Hughes	Merriam	Renneke	Willert
Chmielewski	Humphrey	Moe, R. D.	Rued	
Dahl	Johnson	Nelson	Schmitz	
Davies	Kamrath	Olhoft	Setzepfandt	
Davis	Keefe	Pehtler	Sieloff	

Messrs. Ashbach and Ulland voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Sikorski moved that H.F. No. 7 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Sikorski 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. 7 and that the rules of the Senate be so far suspended as to give H. F. No. 7 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 7 was read the second time.

H.F. No. 7: A bill for an act relating to the organization and operation of state government; correcting a provision relating to the weatherization program in the omnibus health, welfare, and corrections appropriations bill; amending Laws 1981, Chapter 360, Section 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Dicklich	Kroening	Penny	Sikorski
Belanger	Dieterich	Kronebusch	Peterson, C.C.	Solon
Benson	Engler	Langseth	Peterson, D.L.	Stokowski
Berg	Frank	Lantry	Peterson, R.W.	Taylor
Berglin	Frederick	Lindgren	Petty	Tennessee
Bernhagen	Frederickson	Luther	Purfeerst	Ulland
Bertram	Hanson	Menning	Ramstad	Vega
Brataas	Hughes	Merriam	Renneke	Waldorf
Chmielewski	Humphrey	Moe, R. D.	Rued	Wegener
Dahl	Johnson	Nelson	Schmitz	Willet
Davies	Kamrath	Olhofi	Setzepfandt	
Davis	Keefe	Pehler	Sieloff	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1: A bill for an act relating to the financing of state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon

and other expenses; authorizing a state property tax under certain conditions; requiring a study of the state's cash management; requiring plan to reduce short-term borrowing; amending Minnesota Statutes 1980, Sections 16A.128, as amended, and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Minnesota Statutes 1980, Sections 16A.67; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

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

Eken, Tomlinson, Brandl, Sherwood and Nelsen, B. have been appointed as such committee on the part of the House.

House File No. 1 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 July 2, 1981

Mr. Moe, R.D. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1, 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.

RECESS

Mr. Moe, R.D. 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.

APPOINTMENTS

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

H. F. No. 1: Messrs. Moe, R.D.; Hanson; Waldorf; Ashbach and Bang.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

Without objection, the Senate proceeded 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.

Mr. Luther introduced—

S.F. No. 7: A bill for an act relating to corporations; establishing filing fees for certain filings with the secretary of state; amending Minnesota Statutes 1980, Section 301.511, Subdivision 2.

Mr. Moe, R.D. moved that S.F. No. 7 be laid on the table. The motion

prevailed.

Mr. Sieloff introduced—

S.F. No. 8: A bill for an act relating to judicial procedures; providing an effective date for certain changes in provisions relating to guardianship, conservatorship, and actions brought on behalf of minor children.

Mr. Moe, R.D. moved that S.F. No. 8 be laid on the table. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:30 p.m. The motion prevailed.

The hour of 3:30 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Moe, R. D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Without objection, the Senate proceeded 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.

Mr. Hughes introduced—

S.F. No. 9: A bill for an act relating to the city of Maplewood; authorizing the use of industrial revenue bonds to finance certain projects located in the city.

Mr. Moe, R.D. moved that S.F. No. 9 be laid on the table. The motion prevailed.

Messrs. Tennesen, Petty, Ashbach, Merriam and Peterson, R.W. introduced—

S.F. No. 10: A bill for an act relating to the operation of state government; creating a dedicated reserve fund; delaying tax adjustments; providing for a report on expenditure reduction; appropriating money; amending Minnesota Statutes 1980, Sections 290.06, Subdivisions 2d, as amended, and 3g, as amended; 290.09, Subdivision 15, as amended; 290.18, as amended; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Laws 1981, Special Session, Chapter 1, Article 1, Section 5.

Mr. Moe, R.D. moved that S. F. No. 10 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Waldorf moved that H.F. No. 8 be recalled from the House of Repre-

sentatives for further consideration. The motion prevailed.

Mr. Sieloff moved that S.F. No. 8 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Sieloff moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S. F. No. 8 and that the rules of the Senate be so far suspended as to give S. F. No. 8 its second and third reading and place it on its final passage. The motion prevailed.

S. F. No. 8 was read the second time.

S.F. No. 8: A bill for an act relating to judicial procedures; providing an effective date for certain changes in provisions relating to guardianship, conservatorship, and actions brought on behalf of minor children.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Sikorski
Bang	Dieterich	Langseth	Peterson, C.C.	Solon
Belanger	Engler	Lantry	Peterson, D.L.	Stokowski
Benson	Frank	Lessard	Peterson, R.W.	Taylor
Berg	Frederick	Lindgren	Petty	Tennesen
Berglin	Frederickson	Luther	Purfeerst	Ulland
Bernhagen	Hanson	Menning	Ramstad	Vega
Bertram	Hughes	Merriam	Renneke	Waldorf
Chmielewski	Humphrey	Moe, D. M.	Rued	Wegener
Dahl	Johnson	Moe, R. D.	Schmitz	Willet
Davies	Kamrath	Nelson	Setzepfandt	
Davis	Knoll	Pehler	Sieloff	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Penny moved that H.F. No. 2 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Penny 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. 2 and that the rules of the Senate be so far suspended as to give H. F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2 was read the second time.

H.F. No. 2: A resolution memorializing the President and Congress to declare certain Minnesota counties to be disaster areas for the purpose of receiving federal disaster aid.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Langseth	Peterson, C.C.	Stokowski
Belanger	Engler	Lantry	Peterson, D.L.	Taylor
Benson	Frank	Lessard	Peterson, R.W.	Tennessen
Berg	Frederick	Lindgren	Petty	Ulland
Berglin	Frederickson	Luther	Purfeerst	Vega
Bernhagen	Hanson	Menning	Ramstad	Waldorf
Bertram	Hughes	Merriam	Renneke	Wegener
Chmielewski	Humphrey	Moe, D.M.	Rued	Willet
Dahl	Johnson	Moe, R.D.	Schmitz	
Davies	Kamrath	Nelson	Setzepfandt	
Davis	Knoll	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Solon	

So the resolution passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Berglin moved that H.F. No. 3 be taken from the table. The motion prevailed.

H.F. No. 3: A bill for an act relating to elections; correcting provisions for registration prior to election day, for publishing of sample general election ballots, and for setting certain election precinct boundaries; amending Minnesota Statutes 1980, Sections 201.061, Subdivision 1, as amended; and Laws 1981, Chapter 29, Article IV, Section 14, Subdivision 3, and Article VI, Section 16, as amended; repealing Special Session Laws 1981, Chapter 4, Article III, Sections 1 and 2.

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 16, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kroening	Penny	Sikorski
Bang	Frederick	Kronebusch	Peterson, C.C.	Solon
Belanger	Frederickson	Langseth	Peterson, R.W.	Stokowski
Berglin	Hanson	Lantry	Ramstad	Vega
Bernhagen	Hughes	Luther	Renneke	Waldorf
Chmielewski	Humphrey	Menning	Rued	Wegener
Davies	Johnson	Moe, D.M.	Schmitz	Willet
Dicklich	Kamrath	Moe, R.D.	Setzepfandt	
Dieterich	Knoll	Nelson	Sieloff	

Those who voted in the negative were:

Benson	Davis	Lindgren	Peterson, D.L.	Taylor
Berg	Frank	Merriam	Petty	Tennessen
Bertram	Lessard	Pehler	Purfeerst	Ulland
Dahl				

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Luther moved that S.F. No. 7 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Luther moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S. F. No. 7 and that the rules of the Senate be so far suspended as to give S. F. No. 7 its second and third reading and place it on its final passage. The motion prevailed.

S. F. No. 7 was read the second time.

S.F. No. 7: A bill for an act relating to corporations; establishing filing fees for certain filings with the secretary of state; amending Minnesota Statutes 1980, Section 301.511, Subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Pehler	Sieloff
Bang	Engler	Langseth	Penny	Sikorski
Belanger	Frank	Lantry	Peterson, C. C.	Solon
Benson	Frederick	Lessard	Peterson, D. L.	Stokowski
Berg	Frederickson	Lindgren	Peterson, R. W.	Taylor
Berglin	Hanson	Luther	Petty	Tennessen
Bernhagen	Hughes	Menning	Ramstad	Ulland
Bertram	Humphrey	Merriam	Renneke	Vega
Chmielewski	Johnson	Moe, D. M.	Rued	Waldorf
Dahl	Kamrath	Moe, R. D.	Schmitz	Wegener
Davies	Knoll	Nelson	Setzpfandt	Willet

Messrs. Davis, Dieterich, Kroening and Purfeerst voted in the negative.

So the bill passed and its title was agreed to.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 5:30 p.m. The motion prevailed.

The hour of 5:30 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Sikorski imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House accedes to the request of the

Senate for the return of the following bill for further consideration by the Senate:

H.F. No. 8: A bill for an act relating to financial institutions; excepting open end credit from the bank loan interest rate; amending Laws 1981, Chapter 259, Section 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 2, 1981

RECONSIDERATION

Mr. Waldorf moved that the vote whereby H. F. No. 8 was passed by the Senate on July 2, 1981, be now reconsidered. The motion prevailed.

Mr. Waldorf moved to amend H.F. No. 8 as follows:

Page 1, after line 18, insert:

“Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment.”

The motion prevailed. So the amendment was adopted.

H.F. No. 8 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lessard	Peterson, C.C.	Sikorski
Bang	Dieterich	Lindgren	Peterson, D.L.	Stokowski
Belanger	Engler	Luther	Peterson, R.W.	Taylor
Benson	Frank	Menning	Petty	Tennessen
Berg	Frederickson	Merriam	Purfeerst	Ulland
Berglin	Hughes	Moe, D. M.	Ramstad	Vega
Bertram	Keefe	Moe, R. D.	Renneke	Waldorf
Chmielewski	Knoll	Nelson	Rued	Wegener
Dahl	Kroening	Othoft	Schmitz	Willet
Davies	Kronebusch	Pehler	Setzepfandt	
Davis	Lantry	Penny	Sieloff	

So the bill, as amended, passed 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 1981 Second Special Session Senate File, herewith returned:

S.F. No. 7: A bill for an act relating to corporations; establishing filing fees for certain filings with the secretary of state; amending Minnesota Statutes 1980, Section 301.511, Subdivision 2.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned July 2, 1981

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. 8: A bill for an act relating to judicial procedures; providing an effective date for certain changes in provisions relating to guardianship, conservatorship, and actions brought on behalf of minor children.

Senate File No. 8 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned July 2, 1981

CONCURRENCE AND REPASSAGE

Mr. Sieloff moved that the Senate concur in the amendments by the House to S. F. No. 8 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 8 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Knoll	Olhoft	Setzepfandt
Bang	Dicklich	Kroening	Pehler	Sieloff
Belanger	Dieterich	Kronebusch	Penny	Sikorski
Benson	Engler	Lantry	Peterson, C. C.	Solon
Berg	Frank	Lessard	Peterson, D. L.	Stokowski
Berglin	Frederick	Lindgren	Peterson, R. W.	Taylor
Bernhagen	Frederickson	Luther	Petty	Tennessee
Bertram	Hanson	Menning	Purfeerst	Ulland
Brataas	Hughes	Merriam	Ramstad	Vega
Chmielewski	Johnson	Moe, D. M.	Renneke	Waldorf
Dahl	Kamrath	Moe, R. D.	Rued	Wegener
Davies	Keefe	Nelson	Schmitz	Willet

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 2, 1981

CONFERENCE COMMITTEE REPORT ON SECOND SPECIAL SESSION H. F. No. 1

A bill for an act relating to the financing of state government; clarifying fee

adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; requiring a study of the state's cash management; requiring plan to reduce short-term borrowing; amending Minnesota Statutes 1980, Sections 16A.128, as amended, and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Minnesota Statutes 1980, Sections 16A.67; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

July 2, 1981

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H. F. No. 1, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that Second Special Session H.F. No. 1 be further amended as follows:

Page 2, after line 7, insert:

“Sec. 2. [16A.1531] [BUDGET RESERVE ACCOUNT.]

The commissioner of finance, at the close of the state's accounts for the second fiscal year of each biennium, shall transfer to a budget reserve account in the state treasury the amount by which the unrestricted balance in the general fund exceeds \$25,000,000, up to \$100,000,000. Thereafter, one-half of the remainder of the unrestricted balance shall be transferred until the balance in the budget reserve account equals 2-1/2 percent of appropriations from the general fund for the current biennium.

Sec. 3. Minnesota Statutes 1980, Section 16A.15, Subdivision 1, is amended to read:

Subdivision 1. [REDUCTION.] In case the commissioner of finance shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the term of the appropriation or for any allotment period will be less than the amount estimated or allotted therefor, he shall, with the approval of the governor, and after notice to the agency concerned, *either*:

(a) *after consultation with the legislative advisory commission created by section 3.30, transfer from the budget reserve account established in section 2, to the general fund the amount necessary to balance revenue and expenditures;*

(b) *reduce the amount allotted or to be allotted so as to prevent a deficit; or*

(c) *make any combination of transfers and reductions as provided by clauses (a) and (b).*

In like manner he shall request reduction of the amount allotted or to be allotted to any agency by the amount of any saving which can be effected upon previous spending plans through a reduction in prices or other cause.”

Page 4, line 24, delete "*in the fiscal year*"

Page 4, delete line 25

Page 4, line 26, delete "*thereafter*"

Page 7, after line 3, insert:

"Sec. 6. Minnesota Statutes 1980, Section 273.13, Subdivision 15a, as amended by Laws 1981, Special Session Chapter 3, Section 1, is amended to read:

Subd. 15a. [GENERAL FUND, REPLACEMENT OF REVENUE.] (1) Payment from the general fund shall be made, as provided herein, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in subdivisions 6, 7, and 14a.

(2) Each county auditor shall certify, not later than May 1 of each year commencing in 1968 to the commissioner of revenue the amount of reduction resulting from subdivisions 6 and 7 in his county, and not later than May 1 of each year commencing in 1970, the amount of reduction resulting from subdivision 14a. In 1975 and subsequent years, this certification shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.

(3) Based on current year tax data reported in the abstracts of tax lists, the commissioner of revenue shall annually determine the taxing district distribution of the amounts certified under clause (2). On or before July 15, 1981, and each year thereafter, the commissioner of revenue shall pay to each taxing district, *other than school districts*, one-sixth of its total payment for the year. The remaining five-sixths shall be paid in equal installments on or before August 15, September 15, October 15, November 15, and December 15, 1981, and each year thereafter. *By July 15, 1982, and each year thereafter, the commissioner of revenue shall pay to each school district one-half of its total payment for the year. The remaining one-half shall be paid by January 15, 1983, and each year thereafter.*"

Page 7, line 18, before "*revenue*" insert "*or*"

Page 7, line 18, delete "*, or adoption of a*"

Page 7, line 19, delete "*budget stabilization reserve account*"

Page 7, lines 21 and 22, delete "*January 1, 1982*" and insert "*December 1, 1981*"

Page 7, line 22, after "*to*" insert "*the governor,*"

Page 7, line 29, delete "*reduce*" and insert "*eliminate*"

Page 7, after line 30, insert:

"Sec. 11. [BUDGET REVIEW CONTINUED.]

The 72nd legislature reaffirms its commitment made in Laws 1981, Special Session Chapter 2, Section 18, to continue to review the 1982-83 state budget during the interim between the 1981 and 1982 sessions in order to find cost

savings to further reduce expenditures in the biennium budget."

Page 7, delete line 32 and insert "*Sections 1 to 5 and 7 to 11 are effective the day following final enactment. Section 6 is effective July 1, 1982.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "creating a budget reserve account;"

Page 1, line 10, after the semicolon insert "changing dates for making homestead credit payments to school districts;"

Page 1, line 13, delete ", and" and insert "; 16A.15, Subdivision 1, as amended;"

Page 1, line 13, after "16A.275;" insert "and 273.13, Subdivision 15a, as amended;"

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

House Conferees: (Signed) Willis R. Eken, John D. Tomlinson, John E. Brandl, Glen A. Sherwood, Bruce G. Nelsen

Senate Conferees: (Signed) Roger D. Moe, Marv Hanson, Gene Waldorf, Robert O. Ashbach, Otto T. Bang, Jr.

Mr. Moe, R.D. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1 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.

CALL OF THE SENATE

Mr. Moe, R. D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 1: A bill for an act relating to the financing of state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; creating a budget reserve account; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; changing dates for making homestead credit payments to school districts; requiring a study of the state's cash management; requiring plan to reduce short-term borrowing; amending Minnesota Statutes 1980, Sections 16A.128, as amended; 16A.15, Subdivision 1, as amended; 16A.275; and 273.13, Subdivision 15a, as amended; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Minnesota Statutes 1980, Sections 16A.67; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

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 34 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Moe, R. D.	Setzepfandt
Bang	Frederick	Langseth	Nelson	Sikorski
Berglin	Frederickson	Lantry	Peterson, C. C.	Solon
Bernhagen	Hanson	Lessard	Petty	Ulland
Brataas	Humphrey	Luther	Ramstad	Waldorf
Chmielewski	Johnson	Menning	Renneke	Wegener
Dahl	Keefe	Moe, D. M.	Rued	

Those who voted in the negative were:

Belanger	Dicklich	Kroening	Peterson, D. L.	Taylor
Benson	Engler	Lindgren	Peterson, R. W.	Tennesen
Berg	Frank	Merriam	Purfeerst	Vega
Bertram	Hughes	Olhoft	Schmitz	Willet
Davis	Kamrath	Pehler	Sieloff	
Davis	Knoll	Penny	Stokowski	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. introduced—

Senate Resolution No. 6: A Senate resolution relating to adjournment of the 1981 second Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the second Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the second Special Session of 1981.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives is about to adjourn the 1981 Second Special Session sine die.

Edward A. Burdick, Chief Clerk, House of Representatives

July 2, 1981

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate