

## FIFTIETH DAY

St. Paul, Minnesota, Tuesday, May 10, 1983

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

### CALL OF THE SENATE

Mr. Willet 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. Robert Dickson.

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

Adkins	Diessner	Kroening	Olson	Sieloff
Anderson	Dieterich	Kronebusch	Pehler	Solon
Belanger	Frank	Laidig	Peterson, C.C.	Spear
Benson	Frederick	Langseth	Peterson, D.C.	Storm
Berg	Frederickson	Lantry	Peterson, D.L.	Stumpf
Berglin	Freeman	Lessard	Peterson, R.W.	Taylor
Bernhagen	Hughes	Luther	Petty	Ulland
Bertram	Isackson	McQuaid	Pogemiller	Vega
Brataas	Johnson, D.E.	Mehrkens	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Merriam	Ramstad	Wegscheid
Dahl	Jude	Moe, D.M.	Reichgott	Willet
Davis	Kamrath	Moe, R.D.	Renneke	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Knutson	Novak	Schmitz	

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

The following communication was received.

May 9, 1983

The Honorable Jerome M. Hughes  
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. 322, 332, 372, 464, 530, 659, 827, 833, 854, 936 and 972.

Sincerely,  
Rudy Perpich, 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. 672.

H.F. No. 672: A bill for an act relating to taxation; sales and use; clarifying the taxability or exempt status of certain items or transactions; providing penalties for certain operators or misuse of exemption certificates; clarifying filing dates and penalties for not timely filing or paying the tax; authorizing the filing of security and the use of sampling; providing restrictions on refunds; clarifying payments required before appeal; eliminating the fee for permits; amending Minnesota Statutes 1982, sections 297A.01, subdivisions 3 and 4; 297A.25, subdivision 1; 297A.27, subdivision 1; 297A.275; 297A.28; 297A.31, subdivision 1; 297A.35, subdivision 1, and by adding a subdivision; 297A.391; and 297B.03; proposing new law coded in Minnesota Statutes, chapter 297A; repealing Minnesota Statutes 1982, sections 297A.05 and 297A.251.

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

Minne; Anderson, G. and Evans have been appointed as such committee on the part of the House.

House File No. 672 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 May 9, 1983

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 672, 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. 92:

H.F. No. 92: A bill for an act relating to education; providing for aids to education, aids to libraries, aids for teacher retirement contributions, tax levies, and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; providing for revenue equity; modifying the computation of the transportation aid, summer school, and community education aids and levies; establishing an average-cost funding formula for AVTIs; authorizing intermediate school districts to offer non-post-secondary academic courses; establishing programs for improvement of schools; providing incentives for school districts to utilize technology in instruction; appropriating money; amending Minnesota Statutes 1982, sections 6.54; 6.62, subdivision 1; 16A.15, subdivision 1; 120.075, subdivision 4, and by adding a subdivision; 120.10, subdivision 2; 120.17, subdivision 3; 120.64, subdivisions 2 and 4; 121.908; 121.911, by adding a

subdivision; 121.912, subdivision 3; 122.23, subdivisions 2 and 3; 122.41; 122.43; 122.44; 122.531, subdivision 2, and by adding subdivisions; 123.33, subdivisions 10 and 14; 123.34, subdivision 9; 123.351, subdivision 4; 123.36, subdivisions 9, 13, and by adding a subdivision; 123.37, subdivision 1b; 123.39, subdivision 4; 123.705; 124.11, subdivisions 2a and 2b; 124.14, subdivision 1; 124.15, subdivision 5; 124.17, subdivisions 1 and 2d; 124.19, subdivisions 1 and 3; 124.201, subdivisions 2, 3, and by adding subdivisions; 124.2122, subdivisions 1 and 2; 124.2126, subdivision 3; 124.2128, subdivision 1; 124.2132, subdivision 4; 124.225; 124.245, by adding a subdivision; 124.246, subdivision 2; 124.247, subdivision 3; 124.26, subdivision 1; 124.271, subdivisions 2a, 6, and by adding a subdivision; 124.273, subdivisions 1b, 2b, and 4; 124.32, subdivisions 1b, 1d, 2, 3a, 5, and 5a; 124.572, subdivision 2; 124.573, subdivision 2; 124.574, subdivisions 2b and 3; 124.646, subdivision 1; 125.60, subdivision 7; 125.611, subdivision 8; 129B.02; 129B.04; 129B.05; 129B.09, subdivision 12; 134.07; 134.08; 134.09; 134.10; 134.11; 134.12; 134.13; 134.14; 134.15; 134.30; 134.32, subdivisions 1 and 7; 134.351, subdivisions 3 and 7; 134.353; 134.36; 275.125, subdivisions 2d, 2e, 2i, 5, 5b, 6d, 8, 11a, 11b, and by adding subdivisions; 354.66, subdivision 9; 354A.094, subdivision 9; 375.335; 466.01, subdivision 1; 475.61, subdivision 3; and 648.39, subdivision 1; amending Laws 1967, chapter 822, section 4; Laws 1969, chapter 775, section 3, subdivision 2, as amended; Laws 1969, chapter 1060, section 4; Laws 1981, chapter 358, article 7, section 29, as amended; and Laws 1982, chapter 548, article 3, sections 27 and 28; proposing new law coded in Minnesota Statutes, chapters 3, 120, 121, 122, 123, 124, 126, 129B, and 134; repealing Minnesota Statutes 1982, sections 121.501 to 121.507; 122.542; 124.11, subdivision 1; 124.24; 124.251; 124.26, subdivision 4; 124.271, subdivision 5; 124.273, subdivisions 1 and 2; 124.32, subdivisions 1 and 9; 124.561; 124.562; 124.5621; 124.5622; 124.5623; 124.5624; 124.5625; 124.5626; 124.5627; 124.572, subdivision 8; 124.573, subdivision 5; 124.574, subdivision 2; 124.611; 125.611, subdivision 9; 129B.06 to 129B.09; 134.03; 134.06; 134.16; 134.19; 134.352; and 375.33.

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

Nelson, K.; McEachern; Kostohryz; Anderson, B. and Levi have been appointed as such committee on the part of the House.

House File No. 92 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 May 9, 1983

Mr. Nelson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 92, 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. 218.

H.F. No. 218: A bill for an act relating to crimes; expanding the rights of victims of crime; affirming the right of victims to bring civil actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter intimidation of witnesses; requiring development of a plan for notifying crime victims about available financial assistance and social services; providing for victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1982, sections 241.26, subdivisions 5 and 6; 243.23, subdivision 3; 571.55, by adding a subdivision; 609.115, subdivision 1; 609.498; and 631.425, subdivision 5; proposing new law coded as Minnesota Statutes, chapter 611A.

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

Kelly, Cohen and Bishop have been appointed as such committee on the part of the House.

House File No. 218 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 May 9, 1983

Mr. Dicklich moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 218, 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 the adoption by the House of the following House Concurrent Resolution, herewith transmitted: House Concurrent Resolution No. 5.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1983

House Concurrent Resolution No. 5: A House concurrent resolution commending the University of Minnesota Department of Civil and Mineral Engineering for receipt of the 1983 National Award for Outstanding Civil Engineering Achievement from the American Society of Civil Engineers.

WHEREAS, the American Society for Civil Engineers is one of the largest and most prestigious national professional organizations; and

WHEREAS, that Society specifically stated in the award citation the special significance of the close working relationship between the Department of Civil and Mineral Engineering and the Minnesota Legislature in developing the proposal and securing financing for the new building; and

WHEREAS, the same building earned the national Owens-Corning Fiberglass Award for Energy Conservation Through Efficient Building De-

sign; and

WHEREAS, the role of the Underground Space Center in the Department of Civil and Mineral Engineering was unique in facilitating the design and engineering of the building as an example of contractor-contractee cooperation; and

WHEREAS, the building represents a nationally significant technical advancement in the use of underground space; and

WHEREAS, because of these national awards the earth sheltered Civil and Mineral Engineering building is recognized as a nationally outstanding example of excellence for both energy conservation and design; NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the State of Minnesota, the Senate concurring, that the Legislature of the State of Minnesota congratulates Dr. Charles Fairhurst and the faculty and staff of the Department of Civil and Mineral Engineering of the University of Minnesota, and Mr. David Bennett and the architectural firm of Bennett, Ringrose, Walsfeld (BRW) and their associated contractors, for their outstanding achievements in the design and construction of this new building.

BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota congratulates the Department of Civil and Mineral Engineering faculty and staff for developing such a good working relationship with key legislative groups.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives is instructed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the Speaker of the House, the President of the Senate, and the Secretary of the Senate and present them to the head of the Department of Civil and Mineral Engineering, to the BRW firm, and to the President and each member of the Board of Regents of the University of Minnesota.

Mr. Willet moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 521.

H.F. No. 521: A bill for an act relating to financial institutions; providing for the payment of hearing costs on contested applications; including credit union share insurance corporations and industrial loan and thrift guarantee issuers in the group of organizations permitted to receive examination reports; removing the requirement that a financial institution's board of directors hold qualifying shares; clarifying limitations on junior mortgage loans by banks; establishing application fees; removing a certain filing requirement; reducing the number of savings association incorporators; clarifying the notice requirements for savings association conversions; clarifying the industrial loan and thrift company lending limit and increasing the capital to deposit limitation; providing first installment requirements for regulated lenders and motor vehicle sales finance companies; providing credit insurance disclosure requirements for regulated lenders; clarifying financial cor-

poration organizational requirements; amending Minnesota Statutes 1982, sections 45.04, subdivision 1; 46.07, subdivision 2; 47.54, subdivision 1; 48.06; 48.19, subdivision 1; 48.68; 49.36, subdivision 1; 49.37; 51A.03, subdivisions 1 and 4; 51A.065, subdivision 4; 51A.13, subdivisions 2 and 2a; 51A.23, subdivisions 6 and 7; 51A.51, subdivisions 2 and 3a; 52.203; 53.01; 53.03, subdivisions 1, 5, and 6; 53.04, subdivision 3a; 53.05; 53.06; 56.001, subdivision 3; 56.131, subdivision 1; 56.155, subdivision 1; 168.72, subdivision 1; 300.025; and 300.20; proposing new law coded in Minnesota Statutes, chapter 47.

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

Berkelman, Wynia and Kvam have been appointed as such committee on the part of the House.

House File No. 521 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 May 9, 1983

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 521, 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.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 916 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.
916	906				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 916 be amended as follows:

Page 2, line 1, delete the second "or" and insert "and"

Page 2, line 31, after "(b)" insert a comma

Page 3, line 2, delete the comma

Page 3, line 4, delete everything after "Minnesota" and insert a semicolon

Page 3, delete lines 5 and 6

And when so amended H.F. No. 916 will be identical to S.F. No. 906, and further recommends that H.F. No. 916 be given its second reading and substituted for S.F. No. 906, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 636 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.
636	472				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 636 be amended as follows:

Page 3, line 28, delete "*certified*"

Page 3, line 29, delete "*audited*"

Page 3, line 31, delete everything after "*be*"

Page 3, line 32, delete everything before "*filed*"

Page 3, line 32, delete "*within six months after the close*" and insert "*when available*"

Page 3, line 33, delete "*of the fiscal year*"

Page 3, line 35, delete "*instead of by a*"

Page 3, line 36, delete "*certified public accountant*"

Page 3, line 36, before the period insert "*instead of by a public accountant*"

Page 4, delete sections 2 and 3

Amend the title as follows:

Page 1, delete line 4

And when so amended H.F. No. 636 will be identical to S.F. No. 472, and further recommends that H.F. No. 636 be given its second reading and substituted for S.F. No. 472, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 360 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.
360	289				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 360 be amended as follows:

Page 1, line 15, after "governor" insert "*, with the advice and consent of the senate,*"

Page 2, delete lines 10 and 11

And when so amended H.F. No. 360 will be identical to S.F. No. 289, and further recommends that H.F. No. 360 be given its second reading and substituted for S.F. No. 289, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 973 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.
973	722				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 973 be amended as follows:

Page 3, line 27, delete "*as are*"

Page 5, line 25, reinstate the stricken "*the*"

Page 6, line 5, delete "*shall be*" and insert "*is*"

Page 6, line 9, delete "*shall be*" and insert "*is*"

Page 6, line 19, strike "*shall*" and insert "*must*"

Page 6, line 20, strike "*shall*" and insert "*must*"

Page 6, line 24, delete "*bar*" and insert "*ban*"

Page 6, line 28, strike "*shall*" and insert "*must*"

Page 6, line 29, strike "*shall*" and insert "*must*"

Page 9, delete lines 22 to 29

Page 10, line 8, strike "*shall*" and insert "*does*"



Page 10, line 9, strike "where" and insert "if"

Page 10, line 12, insert a comma after "commercial"

Page 10, line 15, insert a comma after "bullion"

Page 10, line 17, strike "where" and insert "if"

Page 10, line 17, delete the comma after "seller"

Page 10, line 21, delete the new language

Page 10, delete lines 22 and 23

Page 10, line 24, delete the new language

Page 10, line 24, strike "provided that" and after the second stricken "a" insert "if the"

Page 10, line 25, reinstate "bank, savings institution, trust company,"

Page 10, line 26, reinstate "broker-dealer," and insert "or safe deposit company is located"

Page 10, line 26, reinstate "within this state,"

Page 10, line 30, after "~~purchaser~~" insert "and is, if required, licensed under the laws of this state; but"

Page 10, line 31, delete "such" and insert "the"

Page 10, after line 35, insert:

"Sec. 11. Minnesota Statutes 1982, section 80A.14, is amended by adding a subdivision to read:

*Subd. 9a. [INVESTMENT ADVISER REPRESENTATIVE.] "Investment adviser representative" means any partner, officer, or director of an investment adviser, or any person performing similar functions, or any person, directly or indirectly, controlling or controlled by an investment adviser, including any employee of an investment adviser who provides investment advice to clients."*

Page 12, line 14, after "licensee" delete the underscoring under the period

Page 13, line 14, reinstate "that"

Page 13, delete lines 33 to 36

Page 4, delete lines 1 to 36

Page 15, delete lines 1 to 8

Page 15, delete lines 14 to 29 and insert "censured, or the application denied. The order ~~shall~~ must be calculated to give reasonable notice of the time and place for hearing thereon, and shall state the reasons for the entry of the order. The commissioner may by order summarily suspend a license pending final determination of any order to show cause. If a licensee is suspended pending final determination of an order to show cause, a hearing on the merits shall be held within 30 days of the issuance of the order of suspension. All hearings ~~shall~~ must be conducted in accordance with the provisions of chapter 14. After the hearing, the commissioner shall enter an order

~~making such disposition~~ disposing of the matter as the facts require. If the licensee or applicant fails to appear at a hearing of which he has been duly notified, ~~such person~~ *he* shall be deemed in default, and the proceeding may be determined against him upon consideration of the order to show cause, the allegations of which may be deemed to be true."

Page 16, delete lines 3 to 22 and insert "327.55, subdivision 1a, and which cause of action occurred on or after July 1, 1973, the aggrieved person may, upon ~~the final judgment becoming final~~, and upon termination of all proceedings, including reviews and appeals, file a verified application in the court in which the judgment was entered for an order directing payment out of the recovery portion of the fund of the amount of actual and direct out of pocket loss in ~~such the~~ transaction, but excluding *any attorney's fees*, interest on the loss and on any judgment obtained as a result of ~~such the~~ loss, up to the sum of \$20,000 of the amount unpaid upon the judgment, ~~provided that~~. However, nothing in this chapter shall be construed to obligate the fund for more than \$20,000 per transaction, subject to the limitations set forth in subdivisions 12 and 14, regardless of the number of persons aggrieved or parcels of real estate involved in ~~such the~~ transaction. A copy of the verified application ~~shall~~ *must* be served upon the commissioner and upon the judgment debtor, and a certificate or affidavit of ~~such~~ service filed with the court. *For the purpose of this section "aggrieved person" does not include a real estate licensee seeking to recover a commission.*"

Page 16, line 26, strike "shall" and insert "do"

Page 17, line 24, strike "which is"

Page 17, line 27, strike "which is"

Page 17, line 34, strike "shall" and insert "does"

Page 18, delete lines 10 to 36

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "and"

Page 1, line 5, delete "investment metal contract" and insert "modifying the definition of "investment metal contract""

Page 1, delete line 9

Page 1, line 21, delete "82.22, subdivision 6;"

Page 1, lines 22 and 23, delete "309.53, subdivision 2, and by adding a subdivision"

And when so amended H.F. No. 973 will be identical to S.F. No. 722, and further recommends that H.F. No. 973 be given its second reading and substituted for S.F. No. 722, 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. 916, 636, 360 and 973 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mrs. Adkins be added as a co-author to S.F. No. 986. The motion prevailed.

Mr. Jude, Mrs. Adkins, Messrs. Davis, Bertram and Merriam introduced—

Senate Resolution No. 55: A Senate resolution congratulating Carole Larson upon being elected president of the Minnesota Newspaper Association.

Referred to the Committee on Rules and Administration.

Mr. Bertram moved that S.F. No. 755 be taken from the table. The motion prevailed.

S.F. No. 755: A bill for an act relating to agriculture; making changes in the artificial dairy products act; amending Minnesota Statutes 1982, sections 32.53; 32.531; 32.5311; 32.532; 32.533; and proposing new law coded in Minnesota Statutes, chapter 32.

## CONCURRENCE AND REPASSAGE

Mr. Bertram moved that the Senate concur in the amendments by the House to S.F. No. 755 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 755 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Kroening	Novak	Samuelson
Anderson	Diessner	Kronebusch	Olson	Schmitz
Belanger	Dieterich	Laidig	Pehler	Solon
Benson	Frank	Langseth	Peterson, C.C.	Spear
Berg	Frederick	Lantry	Peterson, D.C.	Storm
Berglin	Frederickson	Lessard	Peterson, D.L.	Stumpf
Bernhagen	Hughes	Luther	Peterson, R.W.	Taylor
Bertram	Isackson	McQuaid	Petty	Ulland
Brataas	Johnson, D.E.	Mehrken	Pogemiller	Vega
Chmielewski	Jude	Merriam	Purfeerst	Waldorf
Dahl	Kamrath	Moe, D. M.	Ramstad	Wegscheid
Davis	Knaak	Moe, R. D.	Reichgott	Willet
DeCramer	Knutson	Nelson	Renneke	

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

## MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

indicated.

Messrs. Dahl, Frank, Schmitz and Novak introduced—

S.F. No. 1227: A bill for an act relating to manufactured homes; requiring manufactured home park owners to provide ground anchoring systems and storm shelters; authorizing the establishment of a loan program to help finance the cost of these improvements; prescribing rules; appropriating money; amending Minnesota Statutes 1982, sections 327.20, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Dahl, Bertram, DeCramer, Chmielewski and Johnson, D.J. introduced—

S.F. No. 1228: A bill for an act relating to taxation; providing an income tax credit for certain expenditures for woodburning appliances; amending Minnesota Statutes 1982, section 290.06, subdivision 14.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dahl, Vega, Stumpf, DeCramer and Johnson, D.J. introduced—

S.F. No. 1229: A bill for an act relating to taxation; property tax; extending the energy device exemption to certain devices used to provide energy for sale; amending Minnesota Statutes 1982, section 273.11, subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dahl introduced—

S.F. No. 1230: A bill for an act relating to commuter vehicles; providing a tax credit for employers operating a ride-sharing program; providing a commuter vehicle investment tax credit; creating a vehicle registration category and setting vehicle registration fees for commuter vehicles; amending Minnesota Statutes 1982, sections 168.011, by adding a subdivision; 168.013, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Ms. Peterson, D.C. introduced—

S.F. No. 1231: A bill for an act relating to taxation; property; granting seasonal residential recreational property classification to certain unimproved property; amending Minnesota Statutes 1982, section 273.13, subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Willet, for the Committee on Finance, introduced—

S.F. No. 1232: A bill for an act relating to the organization and operation of state government; appropriating money for education and related pur-

poses, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; establishing the basis upon which financial stipends for scholarships and grants-in-aid are determined; clarifying authority of post-secondary institution governing boards; establishing a board of vocational technical education; amending Minnesota Statutes 1982, sections 43A.08, subdivision 1a; 124.48; 136.144; 136.67 by adding a subdivision; 136A.121; 136A.14; 136A.141; 136A.15; 136A.16; 136A.17; 136A.26; 136A.29, subdivisions 2 and 9; and 136A.42; proposing new law coded in Minnesota Statutes, chapters 124; 136; and 136A; proposing new law coded as Minnesota Statutes, chapters 135A; and 136C; repealing Minnesota Statutes 1982, sections 121.11, subdivision 1; 124.53; and 136A.161.

Under the rules of the Senate, laid over one day.

Mr. Willet, for the Committee on Finance, introduced—

S.F. No. 1233: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; fixing and limiting fees; providing for adjustments of responsibilities of the department of agriculture for soil and water conservation; allowing limited donation of accumulated vacation time by certain law enforcement employees to their union representative; providing for deposit of proceeds of assessment by the assigned risk review board; regulating financial assistance to public transit systems; limiting certain hearing functions of the transportation regulation board; transferring certain rules authority to the transportation regulation board; reducing membership and establishing terms of members of the public utilities commission; defining enforcement powers of the hazardous material specialists and transportation representatives of the department of transportation; defining terms and requirements for building movers; crediting certain receipts of the commissioner of transportation to the trunk highway fund; providing for certain costs to be paid from the trunk highway fund; authorizing the commissioner of transportation to enforce certain carrier regulations; extending retirement coverage of certain employees of the department of transportation from age 60 to age 62 and providing for disability benefits; transferring and renaming the air transportation revolving account; instructing the commissioner of transportation to charge users of certain air transportation services for certain costs; limiting fare increases by the metropolitan transit commission; basing taxing for the metropolitan transit taxing district upon the level of transit service provided; providing for the disposition of proceeds of certain trunk highway bonds; reducing the amount appropriated from the bridge construction account in the trunk highway fund to the department of transportation; amending Minnesota Statutes 1982, sections 12.14; 17A.04, subdivision 5; 18.51, subdivision 2; 18.52, subdivision 5; 18.53; 18.54; 18A.22, subdivisions 5 and 7; 18A.26; 27.041, subdivision 2; 28A.08; 28A.09; 32.075; 32.59; 34.02; 34.05, subdivision 1; 40.03, subdivision 2, as amended; 43A.04, by adding a subdivision; 79.251, subdivision 1; 155A.07, subdivision 7; 155A.08, subdivision 5; 169.81, subdivision 3b; 169.86, subdivision 5; 169.862; 170.23; 171.26; 171.29, subdivision 2; 173.07, subdivision 2; 173.08, subdivision

1; 173.13, subdivision 4; 174.24, subdivision 3; 174A.02, subdivision 2; 174A.06; 216A.03, subdivision 1; 221.061; 221.071; 221.131; 221.221; 221.296, subdivision 5; 221.64; 221.81; 296.17, subdivisions 10, 17, and 20; 296.25, subdivision 1; 299C.46, subdivision 3; 352.86, subdivisions 1, 2, and by adding a subdivision; 360.018, subdivision 1; 360.63; 473.408, subdivision 3 and by adding a subdivision; 473.446, subdivision 1, as amended; 500.221, subdivision 4; 626.88, subdivision 2; Laws 1975, chapter 235, section 2; Laws 1977, chapter 277, sections 1 and 3, subdivision 1; and Laws 1983, chapter 17, section 12; proposing new law coded in Minnesota Statutes, chapters 10A; 221; 299C; and 360; repealing Minnesota Statutes 1982, sections 24.24; 24.25; 24.26; 24.27; 24.28; 24.29; 24.30; 24.31; 160.26, subdivision 3; 174.265; and 174A.07.

Under the rules of the Senate, laid over one day.

## **MOTIONS AND RESOLUTIONS - CONTINUED**

### **CONFIRMATION**

Ms. Berglin moved that the report from the Committee on Health and Human Services, reported April 27, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Ms. Berglin moved that the foregoing report be now adopted. The motion prevailed.

Ms. Berglin moved that in accordance with the report from the Committee on Health and Human Services, reported April 27, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

### **DEPARTMENT OF PUBLIC WELFARE COMMISSIONER**

Leonard W. Levine, 1741 Hillcrest Avenue, St. Paul, Ramsey County, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

The motion prevailed. So the appointment was confirmed.

### **CONFIRMATION**

Ms. Berglin moved that the report from the Committee on Health and Human Services, reported April 27, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Ms. Berglin moved that the foregoing report be now adopted. The motion prevailed.

Ms. Berglin moved that in accordance with the report from the Committee on Health and Human Services, reported April 27, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

### **DEPARTMENT OF HEALTH COMMISSIONER**

Sister Mary Madonna Ashton, 5101 West 70th Street, #120, Minnea-

polis, Hennepin County, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 62 and nays 5, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Pehler	Sieloff
Anderson	Dieterich	Kronebusch	Peterson, C.C.	Solon
Belanger	Frank	Laidig	Peterson, D.C.	Storm
Benson	Frederickson	Langseth	Peterson, D.L.	Stumpf
Berg	Freeman	Lantry	Peterson, R.W.	Taylor
Bernhagen	Hughes	Lessard	Petty	Ulland
Bertram	Isackson	Luther	Pogemiller	Vega
Brataas	Johnson, D.E.	McQuaid	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Mehrkens	Ramstad	Wegscheid
Dahl	Jude	Merriam	Reichgott	Willet
Davis	Kamrath	Moe, R. D.	Renneke	
DeCramer	Knaak	Novak	Samuelson	
Dicklich	Knutson	Olson	Schmitz	

Those who voted in the negative were:

Berglin	Frederick	Moe, D. M.	Nelson	Spear
---------	-----------	------------	--------	-------

The motion prevailed. So the appointment was confirmed.

## MOTIONS AND RESOLUTIONS - CONTINUED

### CONFIRMATION

Ms. Berglin moved that the report from the Committee on Health and Human Services, reported April 27, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Ms. Berglin moved that the foregoing report be now adopted. The motion prevailed.

Ms. Berglin moved that in accordance with the report from the Committee on Health and Human Services, reported April 27, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

### GILLETTE HOSPITAL BOARD

Kjell Bergh, 6700 Point Drive, Edina, Hennepin County, effective May 3, 1982, for a term expiring the first Monday in January, 1986.

The motion prevailed. So the appointment was confirmed.

### CONFIRMATION

Mr. Chmielewski moved that the report from the Committee on Employment, reported April 29, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chmielewski moved that in accordance with the report from the

Committee on Employment, reported April 29, 1983, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF ECONOMIC SECURITY  
COMMISSIONER**

Barbara Beerhalter, 3343 Girard Avenue South, Minneapolis. Hennepin County, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Mr. Dieterich moved that the reports from the Committee on Public Utilities and State Regulated Industries, reported May 4, 1983, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Dieterich moved that the foregoing reports be now adopted. The motion prevailed.

Mr. Dieterich moved that in accordance with the reports from the Committee on Public Utilities and State Regulated Industries, reported May 4, 1983, the Senate, having given its advice, do now consent to and confirm the appointments of:

**CABLE COMMUNICATIONS BOARD**

Martin J. Pinkney, 419-15th Street North, Moorhead, Clay County, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

Faith Zwemke, 111 North 12th Avenue, Princeton, Mille Lacs County, effective August 11, 1982, for a term expiring the first Monday in January, 1984.

Eugene F. Trumble, 2025 Audubon Drive, Chaska, Carver County, effective April 26, 1982, for a term expiring the first Monday in January, 1985.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Special Orders Calendar. The motion prevailed.

**SPECIAL ORDER**

S.F. No. 532: A bill for an act relating to taxation; providing for the valuation of limited equity cooperative apartments; amending Minnesota Statutes 1982, section 273.11, subdivision 1, and by adding a subdivision.

Ms. Berglin moved to amend S.F. No. 532 as follows:



Page 5, line 1, delete "2" and insert "3"

Page 5, line 2, delete "Section 1 is" and insert "Sections 1 and 2 are"

The motion prevailed. So the amendment was adopted.

S.F. No. 532 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Pehler	Solon
Anderson	Dieterich	Laidig	Peterson, C. C.	Spear
Belanger	Frank	Langseth	Peterson, D. C.	Storm
Benson	Frederick	Lantry	Peterson, D. L.	Stumpf
Berg	Frederickson	Lessard	Peterson, R. W.	Taylor
Berglin	Freeman	Luther	Petty	Ulland
Bernhagen	Hughes	McQuaid	Pogemiller	Vega
Bertram	Isackson	Mehrkins	Purfeerst	Waldorf
Brataas	Johnson, D. E.	Merriam	Ramstad	Wegscheid
Chmielewski	Jude	Moe, D. M.	Reichgott	Willet
Dahl	Kamrath	Moe, R. D.	Renneke	
Davis	Knaak	Nelson	Samuelson	
DeCramer	Knutson	Novak	Schmitz	
Dicklich	Kroening	Olson	Sieloff	

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

### SPECIAL ORDER

S.F. No. 1194: A bill for an act relating to taxation; changing the tax paid on aviation gasoline; amending Minnesota Statutes 1982, section 296.02, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Pehler	Sieloff
Anderson	Dieterich	Laidig	Peterson, C. C.	Solon
Belanger	Frank	Langseth	Peterson, D. C.	Spear
Benson	Frederick	Lantry	Peterson, D. L.	Storm
Berg	Frederickson	Lessard	Peterson, R. W.	Stumpf
Bernhagen	Freeman	Luther	Petty	Taylor
Bertram	Isackson	McQuaid	Pogemiller	Ulland
Brataas	Johnson, D. E.	Mehrkins	Purfeerst	Vega
Chmielewski	Jude	Merriam	Ramstad	Waldorf
Dahl	Kamrath	Moe, R. D.	Reichgott	Wegscheid
Davis	Knaak	Nelson	Renneke	Willet
DeCramer	Knutson	Novak	Samuelson	
Dicklich	Kroening	Olson	Schmitz	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S.F. No. 482: A bill for an act relating to taxation; providing for changes

in the laws relating to delinquent real estate taxes, real estate tax judgment sales and redemptions and tax forfeited land sales; amending Minnesota Statutes 1982, sections 276.04; 279.05; 279.06; 279.14; 279.15; 279.16; 279.20; 280.01; 280.07; 280.10; 280.38; 280.385, subdivision 1; 281.01; 281.02; 281.03; 281.05; 281.17; 281.18; 281.23; 281.25; 281.34; 281.39; 282.01, subdivision 5; 282.039; 282.17; 282.171; 282.222, subdivisions 4 and 5; 282.301; and 559.21, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 276; 279; 280; and 282; repealing Minnesota Statutes 1982, sections 279.24; and 281.36.

Mr. Peterson, R.W. moved to amend S.F. No. 482 as follows:

Page 24, line 29, after "*parcel*" insert "*identification*"

Page 35, line 33, delete "*for*" and insert "*by*"

Page 36, line 7, delete "*5*" and insert "*4*"

The motion prevailed. So the amendment was adopted.

S.F. No. 482 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kronebusch	Olson	Spear
Anderson	Frank	Laidig	Pehler	Storm
Belanger	Frederick	Langseth	Peterson, C.C.	Stumpf
Benson	Frederickson	Lantry	Peterson, D.C.	Taylor
Berg	Freeman	Lessard	Peterson, D.L.	Ulland
Bernhagen	Hughes	Luther	Peterson, R.W.	Vega
Bertram	Isackson	McQuaid	Petty	Waldorf
Chmielewski	Johnson, D.E.	Mehrrens	Pogemiller	Wegscheid
Dahl	Jude	Merriam	Purfeerst	Willet
Davis	Kamrath	Moe, D. M.	Ramstad	
DeCramer	Knaak	Moe, R. D.	Reichgott	
Dicklich	Knutson	Nelson	Renneke	
Diessner	Kroening	Novak	Schmitz	

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

### SPECIAL ORDER

S.F. No. 883: A bill for an act relating to transportation; modifying the definition of truck-tractor to include the power unit of automobile carriers; adjusting the motor vehicle registration tax on certain trailers; requiring proof of payment of the federal heavy use tax on heavy trucks; increasing the maximum allowable width on vehicles from 8 to 8-1/2 feet; modifying vehicle length requirements to allow longer semitrailers and vehicle combinations; modifying the gross weight seasonal increase to include all axle combinations; modifying the distance a peace officer may require a vehicle to travel to a scale and defining a suitable place for unloading an overweight vehicle; modifying the civil penalty for overweight vehicles; increasing width requirement on loads of baled hay before flashing amber lights are required; amending Minnesota Statutes 1982, sections 168.011, subdivision 12; 168.013, subdivision 1d, and by adding a subdivision; 169.01,

subdivision 7; 169.80, subdivision 2; 169.81, subdivisions 2 and 3; 169.825, subdivision 11; 169.85; 169.862; and 169.871, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7.

Mr. Pehler moved to amend S.F. No. 883 as follows:

Page 9, after line 15, insert:

“Sec. 9. [169.833] [FEDERAL QUALIFYING HIGHWAYS.]

*The commissioner of transportation may not add routes to the system of federal qualifying highways submitted to the federal highway administration in accordance with the Surface Transportation Assistance Act of 1982, United States Code, title 49, section 2311, except in compliance with the criteria established by the commissioner for the addition of routes.”*

Page 13, line 26, before “and” insert “11,” and delete “12” and insert “13”

Page 13, line 28, delete “11” and insert “12”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, after the semicolon, insert “requiring the commissioner to comply with criteria for the addition of federal qualifying highways;”

Page 1, line 23, after the semicolon, insert “proposing new law coded in Minnesota Statutes, chapter 169;”

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend S.F. No. 883 as follows:

Page 4, after line 7, insert:

“Sec. 6. Minnesota Statutes 1982, section 169.86, is amended by adding a subdivision to read:

*Subd. 3a. The commissioner or local authority may not deny a permit for the transport to a manufacturing plant of manufactured home frames not more than 15-1/2 feet in width during periods of seasonal weight restrictions unless the load exceeds the weight restrictions.”*

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 8, after the semicolon, insert “allowing special permits for the transport of manufactured home frames;”

Page 1, line 21, after “169.85;” insert “169.86, by adding a subdivision;”

The motion prevailed. So the amendment was adopted.

S.F. No. 883 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Novak	Samuelson
Anderson	Dieterich	Kronebusch	Olson	Schmitz
Belanger	Frank	Laidig	Pehler	Sieloff
Benson	Frederick	Langseth	Peterson, C. C.	Solon
Berglin	Frederickson	Lantry	Peterson, D. C.	Spear
Bernhagen	Freeman	Lessard	Peterson, D. L.	Storm
Bertram	Hughes	Luther	Peterson, R. W.	Stumpf
Brataas	Isackson	McQuaid	Petty	Taylor
Chmielewski	Johnson, D. E.	Mehrkens	Pogemiller	Utlund
Dahl	Jude	Merriam	Purfeerst	Vega
Davis	Kamrath	Moe, D. M.	Ramstad	Waldorf
DeCramer	Knaak	Moe, R. D.	Reichgott	Wegscheid
Dicklich	Knutson	Nelson	Renneke	Willet

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

### 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.

### 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, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

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

S.F. No. 463: A bill for an act relating to port authorities; authorizing revenue bond financing of certain facilities; eliminating the interest rate limit on revenue bonds and authorizing private sale; clarifying contractual and operational authority of port authorities; amending Minnesota Statutes 1982, sections 458.192, subdivisions 1, 4, and by adding a subdivision; 458.194, subdivisions 2, 3, and by adding a subdivision; and 458.195, by adding a subdivision.

Senate File No. 463 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1983

Mrs. Lantry moved that the Senate do not concur in the amendments by the House to S.F. No. 463, 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 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. 800: A bill for an act relating to health; providing for retention and destruction of certain medical records; amending Minnesota Statutes 1982, section 145.32.

Senate File No. 800 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1983

Mr. Peterson, R.W. moved that the Senate do not concur in the amendments by the House to S.F. No. 800, 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 motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 765 and 1259.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1983

### FIRST READING OF HOUSE BILLS

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

H.F. No. 765: A bill for an act relating to insurance; permitting differing benefit payments for services by designated health care providers; amending Minnesota Statutes 1982, section 72A.20, subdivision 15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1093, now on Special Orders.

H.F. No. 1259: A bill for an act relating to the operation of government in this state; modifying the definition of gross income; adopting federal definitions of itemized deductions; updating the references to the Internal Revenue Code; extending the duration of the temporary income tax surtax and changing its computation; modifying the deduction of federal income taxes; assigning certain gambling winnings by nonresidents to Minnesota; imposing withholding tax on certain gambling winnings and horse racing purses; repealing certain income tax credits for pollution control expenditures; limiting the subtraction for unemployment compensation; providing for timely payment of withholding income taxes; modifying the dependent care credit; providing for certain studies; changing the refund method for the sales tax on electricity used in agricultural production; clarifying the uses of funds from the non-game wildlife checkoff; making the six percent sales and use tax rate permanent; increasing the motor vehicle excise tax rate to

six percent; modifying the enterprise zone law; providing for state tax incentives in enterprise zones; limiting the number of enterprise zones; reducing the corporate income tax rate; eliminating the deduction for certain income and franchise taxes paid by corporations; changing the deduction for corporate capital gains; providing small business investment credits; providing an additional research credit; modifying the definition of market value; requiring additional information on the certificate of value; mandating that homestead affidavits be filed in all counties; requiring that all contracts for deed be recorded; restricting the use of sales ratio studies as evidence; eliminating the agricultural mill rate credit on farm homes; increasing the agricultural mill rate credit on certain property and providing a maximum credit amount; clarifying the property classification for certain timber property; modifying the wetlands credit; modifying the utility property tax credit; changing certain property tax classification ratios; exempting contracts for deed from the mortgage registry tax and providing penalties for failure to file; exempting cities and towns with populations under 5,000 from levy limitations; modifying the method by which levy limitations are calculated; adding a special levy for certain county purposes; establishing a new homestead credit formula for certain homestead property; modifying the property tax refund formula and increasing the maximum credit; changing the payment dates for the property tax refund; altering the sales tax on liquor, wine, and beer; changing the excise tax credit on fermented malt beverages; delaying the effective date of the rent capitalization method used in assessing agricultural land; repealing the native prairie credit and reimbursement; repealing the wetlands reimbursement; modifying school district cash flow; establishing school aid payment dates for fiscal year 1985 and thereafter; requiring that property taxes be paid 15 days earlier; altering property tax settlement dates; modifying the local government aids distribution formula for counties, cities, and towns; phasing out attached machinery aids and reduced assessment aids; enacting the multi-state tax compact; changing the definition of basic cost of cigarettes for purposes of the unfair cigarette sales act; appropriating money; amending Minnesota Statutes 1982, sections 116J.42, subdivision 7; 124.2137, subdivision 1; 272.02, subdivision 1; 272.03, subdivision 8; 272.115, subdivision 1; 273.11, subdivision 1; 273.115, subdivisions 1, 2, and 3; 273.13, subdivisions 6, 6a, 7, 8a, 9, 11, 14a, 17, 17b, 17c, 20, and by adding a subdivision; 273.1312, subdivisions 2, 3, 4, and 5; 273.1313, subdivisions 1, 2, 3, and 5; 273.138, by adding a subdivision; 273.139, by adding a subdivision; 275.50, subdivision 2, and by adding subdivisions; 275.51, by adding subdivisions; 275.53, by adding a subdivision; 276.09; 276.10; 276.11; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivisions 4 and 5; 279.01, subdivision 1; 287.05, subdivision 1; 290.01, subdivisions 19, 20, 20a, as amended, 20b, as amended, and 20f; 290.05, subdivision 6; 290.06, subdivisions 1, 2e, as amended, 11, and 14; 290.067, subdivisions 1 and 2; 290.068, by adding a subdivision; 290.09, subdivisions 1, 2, 3, as amended, 4, 5, 28, and 29; 290.091; 290.14; 290.16, subdivision 4; 290.17, subdivision 2; 290.18, subdivisions 1 and 2; 290.21, subdivisions 1 and 3; 290.23, subdivision 5; 290.31, subdivisions 2 and 3; 290.39, subdivision 2; 290.431; 290.46; 290.92, subdivisions 2a, 6, and by adding subdivisions; 290A.03, subdivisions 3, 6, 8, 11, 13, as amended, and by adding a subdivision; 290A.04, subdivisions 1, 2, 2a, 2b, and 3; 290A.07, subdivision 2a; 290A.16; 290A.18; 290A.19; 297A.02, as amended; 297A.03, subdivision 2, as amended; 297A.14, as amended; 297A.35, subdivision 3; 297B.02, as amended; 325D.32, subdivision 9; 340.14, subdivision 1; 340.47, subdivision 2; 473F.08, subdivision 7a; 477A.011,

subdivisions 6, 7, 10, and by adding subdivisions; 477A.012; 477A.013; 477A.014, subdivision 1; and Laws 1981, First Special Session chapter 1, article II, section 25; and Third Special Session chapter 2, article III, section 22, as amended; proposing new law coded in Minnesota Statutes, chapters 116C; 124; 273; 290; 477A; and 507; repealing Minnesota Statutes 1982, sections 273.116; 273.138, subdivisions 1, 2, 3, 4, 5, and 6; 273.139, subdivisions 1 and 2; 273.42, subdivision 2; 273.425; 275.51, subdivisions 3e and 5; 290.01, subdivisions 23, 27, and 28; 290.032, subdivision 5; 290.06, subdivisions 9 and 9a; 290.077, subdivision 2; 290.08, subdivision 25; 290.09, subdivisions 10, 15, 22, and 27; 290.21, subdivision 3a; 290.501; 290A.07, subdivision 3; 340.986; 352C.07; 477A.011, subdivisions 8 and 9; and Laws 1982, chapter 523, article VII, section 3; and Third Special Session chapter 1, article V, section 4.

Mr. Johnson, D.J. moved that H.F. No. 1259 be laid on the table. 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:

S.F. No. 398: Messrs. Spear; Peterson, R.W. and Knaak.

H.F. No. 149: Messrs. Mehrkens, Lessard and Frederick.

H.F. No. 653: Messrs. Hughes, Luther and Peterson, D.L.

S.F. No. 639: Mrs. McQuaid, Mr. Frank and Ms. Olson.

H.F. No. 610: Messrs. Wegscheid, Benson and Solon.

S.F. No. 892: Messrs. Petty, Solon and Benson.

H.F. No. 582: Messrs. Pogemiller, Laidig and Ms. Peterson, D.C.

H.F. No. 672: Messrs. Merriam, Sieloff and Vega.

S.F. No. 463: Mrs. Lantry, Messrs. Schmitz and Belanger.

S.F. No. 800: Messrs. Peterson, R.W.; Knaak and Freeman.

H.F. No. 218: Messrs. Dicklich, Merriam and Knaak.

H.F. No. 521: Messrs. Solon, Petty and Freeman.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Johnson, D.J. moved that H.F. No. 1259 be taken from the table. The

motion prevailed.

### SUSPENSION OF RULES

Mr. Johnson, D.J. 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. 1259 and that the rules of the Senate be so far suspended as to give H.F. No. 1259 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1259 was read the second time.

Mr. Johnson, D.J. moved to amend H.F. No. 1259 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1259, and insert the language after the enacting clause, and the title, of S.F. No. 11, the First Engrossment.

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.J. moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 3, lines 6 and 10, delete "10" and insert "12"

Page 3, line 7, delete "11" and insert "13"

Page 16, line 12, delete "5" and insert "6"

Page 33, line 26, delete "11" and insert "13"

Page 41, line 1, delete "2" and insert "13"

Page 42, lines 8 and 9, delete the new language

Page 42, line 14, after the period insert *"In a year when no inflation adjustment is made pursuant to section 290.06, subdivision 2d, paragraph (b), the adjustment factor shall be the same as the previous year's adjustment factor."*

Page 50, line 3, delete "11" and insert "13"

Page 51, line 29, delete "11" and insert "13"

Page 85, line 25, after "increase" insert "for general operating purposes"

Page 121, line 36, after "PAYMENT" insert "; REDUCTION"

Page 122, line 5, delete "commencement" and insert "start"

Page 183, line 7, after "members" insert ", who must be persons or families of low and moderate income as defined in section 462A.03, subdivision 10, at the time they purchase their membership,"

The motion prevailed. So the amendment was adopted.

### CALL OF THE SENATE

Mr. Sieloff imposed a call of the Senate for the balance of the proceedings



on H.F. No. 1259. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Sieloff moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Pages 13 and 14, delete section 5

Page 15, line 23, delete "1985" and reinstate "1984"

Page 15, line 24, delete "1984" and insert "1983"

Page 15, line 25, delete "1986" and insert "1985"

Page 16, line 2, delete "1984" and insert "1983"

Page 16, line 3, delete "1986" and insert "1985"

Pages 41 and 42, delete section 24

Page 110, lines 13 to 16, delete the new language and reinstate the stricken language

Page 110, line 17, reinstate the stricken language

Page 110, line 17, strike "1983" and insert "1984"

Page 110, line 32, reinstate the stricken language

Page 110, line 32, strike "1983" and insert "1984"

Page 111, line 14, reinstate the stricken language

Page 111, line 14, strike "1983" and insert "1984"

ReNUMBER the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 27 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Peterson, D.L.	Taylor
Belanger	Frederickson	Kronebusch	Purfeerst	Ulland
Benson	Isackson	Laidig	Ramstad	Waldorf
Berg	Johnson, D.E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkens	Sieloff	
Brataas	Knaak	Olson	Storm	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Novak	Samuelson
Berglin	Dieterich	Lantry	Pehler	Schmitz
Bertram	Frank	Lessard	Peterson, C.C.	Solon
Chmielewski	Freeman	Luther	Peterson, D.C.	Spear
Dahl	Hughes	Merriam	Peterson, R.W.	Stumpf
Davis	Johnson, D.J.	Moe, D. M.	Petty	Vega
DeCramer	Jude	Moe, R. D.	Pogemiller	Wegscheid
Dicklich	Kroening	Nelson	Reichgott	Willet

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

Mr. Sieloff then moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Pages 13 and 14, delete section 5

Pages 41 and 42, delete section 24

Renumber the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Anderson	Dahl	Knaak	McQuaid	Sieloff
Belanger	Frederick	Knutson	Mehrkens	Storm
Benson	Frederickson	Kronebusch	Olson	Taylor
Berg	Isackson	Laidig	Petty	Ulland
Bernhagen	Johnson, D.E.	Langseth	Ramstad	Waldorf
Brataas	Kamrath	Lessard	Renneke	Wegscheid

Those who voted in the negative were:

Adkins	Dieterich	Lantry	Peterson, D.C.	Solon
Berglin	Frank	Luther	Peterson, R.W.	Spear
Bertram	Freeman	Moe, D. M.	Pogemiller	Stumpf
Davis	Hughes	Moe, R. D.	Purfeerst	Vega
DeCramer	Johnson, D.J.	Novak	Reichgott	Willet
Dicklich	Jude	Pehler	Samuelson	
Diessner	Kroening	Peterson, C.C.	Schmitz	

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

Mr. Bernhagen moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 63, lines 19 and 20, delete the new language and reinstate the stricken language

Page 63, line 23, delete "13 percent"

Page 63, line 24, delete the new language and reinstate the stricken language

Page 63, line 24, strike "ten" and insert "eleven"

Page 63, line 25, reinstate "mills" and delete "imposed"

Page 63, line 25, strike everything after the period

Page 63, lines 26 to 28, strike the old language and delete the new language

Page 63, line 29, before "The" strike the old language and delete the new language

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	DeCramer	Knaak	Olson	Sieloff
Belanger	Frederick	Knutson	Peterson, D.L.	Storm
Benson	Frederickson	Kronebusch	Purfeerst	Taylor
Berg	Isackson	Laidig	Ramstad	Ulland
Bernhagen	Johnson, D.E.	McQuaid	Renneke	Wegscheid
Brataas	Kamrath	Mehrkens	Schmitz	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Pehler	Samuelson
Berglin	Frank	Lantry	Peterson, C.C.	Solon
Bertram	Freeman	Lessard	Peterson, D.C.	Spear
Chmielewski	Hughes	Luther	Peterson, R.W.	Stumpf
Dahl	Johnson, D.J.	Moe, R. D.	Petty	Vega
Davis	Jude	Nelson	Pogemiller	Waldorf
Dicklich	Kroening	Novak	Reichgott	Willet

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

Mr. Belanger moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 100, delete lines 29 to 36

Page 101, delete lines 1 to 4 and insert:

*"Every home rule charter city and statutory city shall receive in 1985 and 1986 a minimum aid that is at least equal to the aid it received in 1984."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kamrath	Mehrkens	Schmitz
Belanger	Frederickson	Knaak	Novak	Storm
Benson	Freeman	Knutson	Olson	Taylor
Berg	Isackson	Kronebusch	Peterson, D.L.	Vega
Brataas	Johnson, D.E.	Laidig	Ramstad	Wegscheid
Frank	Jude	McQuaid	Renneke	

Those who voted in the negative were:

Adkins	Dicklich	Lessard	Peterson, R.W.	Spear
Berglin	Diessner	Luther	Petty	Stumpf
Bertram	Dieterich	Moe, R. D.	Pogemiller	Ulland
Chmielewski	Johnson, D.J.	Nelson	Purfeerst	Waldorf
Dahl	Kroening	Pehler	Reichgott	Willet
Davis	Langseth	Peterson, C.C.	Sieloff	
DeCramer	Lantry	Peterson, D.C.	Solon	

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

Mr. Laidig moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Pages 69 to 72, delete Article 2, sections 9 and 10

Page 73, delete Article 2, section 12

Renumber the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Peterson, D.L.	Taylor
Belanger	Frederickson	Kronebusch	Purfeerst	Ulland
Benson	Isackson	Laidig	Ramstad	
Berg	Johnson, D.E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkins	Sieloff	
Brataas	Knaak	Olson	Storm	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Peterson, C.C.	Spear
Berglin	Dieterich	Lantry	Peterson, D.C.	Stumpf
Bertram	Frank	Lessard	Peterson, R.W.	Vega
Chmielewski	Freeman	Luther	Petty	Waldorf
Dahl	Hughes	Moe, R. D.	Pogemiller	Wegscheid
Davis	Johnson, D.J.	Nelson	Reichgott	Willet
DeCramer	Jude	Novak	Schmitz	
Dicklich	Kroening	Pehler	Solon	

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

Mr. Benson moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 108, after line 23, insert:

"Sec. 10. Minnesota Statutes 1982, section 290A.04, is amended by adding a subdivision to read:

*Subd. 2g. A claimant who owns a homestead which is classified pursuant to section 273.13, subdivision 6, or which is agricultural land classified as a class 3cc homestead under section 273.13, subdivision 7, shall be allowed an additional refund if the estimated market value of the homestead for taxes assessed in 1983 for taxes payable in 1984 is less than the estimated market value of the homestead for taxes assessed in 1982 for taxes payable in 1983. The amount of the additional refund is calculated as follows:*

*(a) divide the amount by which the estimated market value of the homestead for taxes assessed in 1982 payable in 1983 exceeds the estimated market value of the homestead for taxes assessed in 1983 payable in 1984 by the estimated market value for taxes assessed in 1982 payable in 1983;*

*(b) multiply the percentage obtained in clause (a) by the net property taxes payable on the homestead in 1984.*

*The product of the calculation is the amount of the additional refund.*

*In computing the difference between the estimated market value of the*

*homestead for taxes assessed in 1983 payable in 1984 and the estimated market value of the homestead for taxes assessed in 1982 payable in 1983, the market value of any improvements made to the property and first included in the estimated market value of the homestead for taxes assessed in 1983 payable in 1984 shall be disregarded.*

*For purposes of this subdivision, "net property taxes payable" means property taxes payable after reductions made pursuant to sections 273.13, subdivision 6, or 7; 273.115, subdivision 1; 273.116, subdivision 1; 124.2137; 273.135; and 273.1391; and after the deduction of other property tax refund amounts for which the claimant qualifies pursuant to this chapter.*

*In addition to proofs required pursuant to this chapter, each claimant under this subdivision shall file with the property tax refund return a copy of the property tax statement for taxes payable in the preceding year or other documents required by the commissioner.*

*This additional refund applies only to claims based on property taxes payable in 1984."*

Renumber the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Knaak	Olson	Sieloff
Belanger	Frederick	Knutson	Peterson, D.L.	Storm
Benson	Frederickson	Kronebusch	Purfeerst	Stumpf
Berg	Isackson	Laidig	Ramstad	Taylor
Bernhagen	Johnson, D.E.	McQuaid	Renneke	Ulland
Bertram	Kamrath	Mehrrens	Schmitz	

Those who voted in the negative were:

Adkins	Dieterich	Lantry	Peterson, D.C.	Vega
Berglin	Frank	Lessard	Peterson, R.W.	Waldorf
Chmielewski	Freeman	Luther	Petty	Wegscheid
Dahl	Hughes	Moe, R. D.	Pogemiller	Willet
Davis	Johnson, D.J.	Nelson	Reichgott	
DeCramer	Jude	Novak	Samuelson	
Dicklich	Kroening	Pehler	Solon	
Diessner	Langseth	Peterson, C.C.	Spear	

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

Mr. Frederick moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 8, line 23, delete "(24)"

Page 8, lines 23 to 28, strike the old language

Page 8, line 29, delete "(25)" and insert "(24)"

Page 8, line 33, delete "(26)" and insert "(25)"

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Taylor
Belanger	Frederickson	Knutson	Peterson, D.L.	Ulland
Benson	Isackson	Kronebusch	Ramstad	Wegscheid
Berg	Johnson, D.E.	Laidig	Renneke	
Bernhagen	Jude	McQuaid	Sieloff	
Brataas	Kamrath	Mehrkens	Storm	

Those who voted in the negative were:

Adkins	Diessner	Lantry	Peterson, R.W.	Spear
Berglin	Dieterich	Lessard	Petty	Stumpf
Bertram	Frank	Luther	Pogemiller	Vega
Chmielewski	Freeman	Merriam	Purfeerst	Waldorf
Dahl	Hughes	Moe, R. D.	Reichgott	Willet
Davis	Johnson, D.J.	Nelson	Samuelson	
DeCramer	Kroening	Peterson, C.C.	Schmitz	
Dicklich	Langseth	Peterson, D.C.	Solon	

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

Mr. Sieloff moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 41, after line 24, insert:

“Sec. 24. Minnesota Statutes 1982, section 290.18, subdivision 2, is amended to read:

Subd. 2. [FEDERAL INCOME TAX PAYMENTS AND REFUNDS.] The adjusted gross income shall be computed by deducting from the gross income assignable to this state under section 290.17, the deduction for allowable federal income taxes determined under the provisions of sections 290.09, subdivision 4, 290.10 (8), (9) or (10), and 290.18.

This deduction shall be allowed to individuals, estates, or trusts (i) for taxable years beginning after December 31, 1980 in the taxable year to which the liability applies. Such liability includes the portion of self-employment tax allowed under section 290.10, clause (8). The self-employment tax must be deducted by the person who is deriving the income. ~~When the federal tax liability is joint and several under the computation of a joint federal return of husband and wife, the federal tax liability must be split between the spouses in the same ratio that the federal adjusted gross income of that spouse bears to the total federal adjusted gross income. For purposes of the preceding sentence, “federal adjusted gross income” includes the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1981.~~

(ii) taxes paid for a taxable year beginning before January 1, 1981 shall be allowed as follows:

(1) Those taxes paid in a taxable year beginning before January 1, 1981, shall be claimed in the year in which the payment was made.

(2) Those paid in a taxable year beginning after December 31, 1980 shall be divided and deducted in equal installments reflected by the yearly periods beginning with the first day of the taxable year in which the payment was made and ending December 31, 1986.

(iii) In the case of a person who was self employed during all or a portion of the taxable year, the federal income tax liability for purposes of this section shall be increased by the self-employment tax allowed under section 290.10, clause (8).

(iv) If a taxpayer's federal tax liability is eventually not paid by reason of compromise, discharge, or court order, the deduction allowed pursuant to this subdivision shall be disallowed for the taxable year in which the liability was accrued.

(v) In the event a federal tax liability for a taxable year commencing after December 31, 1980 is increased, decreased or modified, and such increase, decrease or modification has resulted in a change in the amount of Minnesota income tax in the year to which such increase, decrease or modification is attributable, the taxpayer's deduction under this section shall be modified for such year.

(vi) If the readjustments required in (iv) or (v) are for taxes reflected in the transition rule described in (ii)(2), the readjustment shall be made equally to the remaining installments and if a reduction to such installments is required under this readjustment which exceeds the total of all remaining installments, the remaining installments will be reduced to zero and the excess included in income as a federal income tax refund.

(vii) Refunds which are not involved with any readjustments under the transition rule shall be included in income under section 290.01, subdivision 20a, clause (6) if it is from a year beginning before January 1, 1981.

(viii) Refunds of taxes for years beginning after December 31, 1980, shall be used to adjust the deduction in the taxable year of the liability unless that year is closed by statute and no other adjustments are to be required or allowable in which case such refund shall be reportable in the year received."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 7, after "provisions;" insert "providing for allocation of the federal tax deduction between spouses;"

Page 2, line 26, after "1" insert ", 2,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 42, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	McQuaid	Renneke
Belanger	Frederick	Knaak	Mehrkens	Sieloff
Benson	Frederickson	Knutson	Olson	Storm
Berg	Isackson	Kronebusch	Peterson, D. L.	Ulland
Bernhagen	Johnson, D. E.	Laidig	Ramstad	

Those who voted in the negative were:

Adkins	Dieterich	Lessard	Peterson, D.C.	Spear
Berglin	Frank	Luther	Peterson, R.W.	Stumpf
Bertram	Freeman	Merriam	Petty	Vega
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	Wegscheid
Davis	Jude	Nelson	Reichgott	Willet
DeCramer	Kroening	Novak	Samuelson	
Dicklich	Langseth	Pehler	Schmitz	
Diessner	Lantry	Peterson, C.C.	Solon	

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

Mr. Ulland moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 173, line 21, delete "\$126,000,000" and insert "\$75,000,000"

Page 173, line 24, delete "\$63,000,000" and insert "\$37,500,000"

Page 173, line 26, delete "\$63,000,000" and insert "\$37,500,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kronebusch	Petty	Storm
Belanger	Frederickson	Laidig	Purfeerst	Taylor
Benson	Isackson	Langseth	Ramstad	Ulland
Berg	Johnson, D.E.	McQuaid	Renneke	Waldorf
Bernhagen	Kamrath	Mehrkins	Samuelson	Wegscheid
Bertram	Knaak	Olson	Schmitz	
Brataas	Knutson	Peterson, D.L.	Sieloff	

Those who voted in the negative were:

Adkins	Diessner	Kroening	Nelson	Reichgott
Berglin	Dieterich	Lantry	Novak	Solon
Chmielewski	Frank	Lessard	Pehler	Spear
Dahl	Freeman	Luther	Peterson, C.C.	Stumpf
Davis	Hughes	Merriam	Peterson, D.C.	Vega
DeCramer	Johnson, D.J.	Moe, D. M.	Peterson, R.W.	Willet
Dicklich	Jude	Moe, R. D.	Pogemiller	

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

Mr. Knutson moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 95, after line 26, insert:

"Sec. 2. Minnesota Statutes 1982, section 477A.011, subdivision 2, is amended to read:

Subd. 2. [MUNICIPALITY CITY.] Municipality City means a statutory or home rule charter city or a town."

Page 95, after line 36, insert:

"Sec. 4. Minnesota Statutes 1982, section 477A.011, subdivision 4, is



amended to read:

Subd. 4. [EQUALIZED MUNICIPAL CITY MILL RATE.] For any calendar year, a ~~municipality's~~ city's equalized ~~municipal~~ city mill rate means its ~~municipal mill rate for taxes payable in that year multiplied by its aggregate sales ratio for the previous year as prepared by the department of revenue pursuant to section 424.2131~~ the sum of its expenditures in the calendar year for general government, public safety, health and welfare, and public works excluding sewage collection and disposal, and including street cleaning but excluding the other components of the sanitation category, according to the uniform chart of accounts developed and maintained by the state auditor, divided by its equalized assessed value for the calendar year.

Sec. 5. Minnesota Statutes 1982, section 477A.011, subdivision 5, is amended to read:

Subd. 5. [AVERAGE EQUALIZED MUNICIPAL CITY MILL RATE.] For any calendar year aid distribution, a ~~municipality's~~ city's average equalized ~~municipal~~ city mill rate means the arithmetic average of its equalized ~~municipal~~ city mill rate for the ~~three~~ two consecutive calendar years ending two years previous to the aid distribution year."

Page 96, line 16, strike "municipality's" and insert "town's"

Page 96, line 18, delete "municipality" and insert "town"

Page 96, line 25, delete the new language

Page 96, delete lines 26 to 29 and insert " ; or "

Page 97, lines 7 and 22, delete "municipality" and insert "town"

Page 97, line 16, delete "except for the cities of Minneapolis and St. Paul,"

Page 98, after line 7, insert:

"Sec. 9. Minnesota Statutes 1982, section 477A.011, subdivision 8, is amended to read:

Subd. 8. [PREVIOUS BASE YEAR AID.] For the 1982 aid distribution, a ~~municipality's~~ previous Base year aid means its the aid amount initially certified for distribution in 1981 ~~computed~~ pursuant to Minnesota Statutes 1980, Sections 477A.01 and 477A.03, notwithstanding the amount withheld pursuant to section 16A.15 because funds in the state treasury were insufficient. For 1983 and all subsequent calendar year aid distributions, previous year aid means aid received pursuant to sections 477A.011 to 477A.014 in the previous calendar year."

Page 98, line 11, strike "municipality's" and insert "town's"

Page 98, line 26, delete "municipality" and insert "town" and delete "municipalities" and insert "towns"

Page 98, line 27, delete everything before "any"

Page 98, line 31, delete "municipality's" and insert "town's"

Page 98, after line 33, insert:

"Sec. 11. Minnesota Statutes 1982, section 477A.011, subdivision 11, is

amended to read:

Subd. 11. [EQUALIZED ASSESSED VALUE.] For any calendar year aid distribution, a municipality's city's equalized assessed value means its previous year taxable valuation for taxes payable in that year, adjusted for the contributions and distributions required by chapter 473F in the case of a city or town located within the metropolitan area and less the captured value in any tax increment district, divided by the municipality's city's aggregate sales ratio covering the period ending two years prior to the year of aid distribution."

Page 99, line 13, strike "receive a" and insert "have a preliminary"

Page 99, lines 14 to 16, strike the old language and delete the new language

Page 99, line 20, after the stricken language, insert " sum of the amounts determined under clauses (a), (b), and (c) below:

(a) Each city shall receive \$50 per household;

(b) Fifty percent of the remaining money appropriated for local government aid in that calendar year, after distributions pursuant to section 477A.012; 477A.013, subdivision 1; and clause (a) above, shall be distributed to cities in proportion to the factor obtained by multiplying the city's number of households by the ratio of total per household valuation to the subdivision's per household valuation, relative to the sum of the factors for all cities in the state. As used in this subdivision, "per household valuation" means a city's equalized assessed value for the calendar year two years previous to the aid distribution year, divided by the city's number of households, and "total per household valuation" means the total equalized assessed value for the calendar year two years previous to the aid distribution year for all cities in the state divided by the total number of households for all cities in the state.

(c) An amount equal to the amount distributed through clause (b) shall be distributed to all cities in proportion to the product of its number of households and equalized mill rate relative to that of the other cities in the state.

For the calendar year 1984 distribution, the final aid amount shall be the weighted average of the preliminary distribution, with a weighting factor of 1, and the base year aid, with a weighting factor of 2.

For the calendar year 1985 distribution, the final aid amount shall be the weighted average of the preliminary distribution, with a weighting factor of 2, and the base year aid, with a weighting factor of 1.

For the calendar year 1986 and subsequent year aid distributions, the final aid amount shall be equal to the preliminary aid amount.

Any city which has a population of less than 2,500 according to the 1980 federal census and which receives a distribution pursuant to this section that is less than the distribution it received in 1983, shall receive a supplemental distribution equal to the amount by which the distribution was reduced."

Page 99, line 30, delete "2 or"

Page 100, line 3, delete "and section 12"

Pages 100 and 101, delete section 12 and insert:

“Sec. 17. [477A.017] [UNIFORM FINANCIAL ACCOUNTING AND REPORTING SYSTEM.]

*Subdivision 1. [PURPOSE.] Sections 477A.011 to 477A.03 are designed to provide property tax relief to local units of government. In order for the legislature to determine the amounts of relief necessary each year, the legislature must have uniform and current financial information from the governmental units which receive aid distributions. This section is intended to provide that information.*

*Subd. 2. [STATE AUDITOR'S DUTIES.] The state auditor shall prescribe uniform financial accounting and reporting standards in conformity with national standards.*

*Subd. 3. [GOVERNOR'S DUTIES.] The governor shall by executive orders constitute a council on county financial accounting and reporting standards and a council on municipal financial accounting and reporting standards to advise the state auditor.*

*Subd. 4. [CONFORMITY.] Other law to the contrary notwithstanding, in order to receive distributions under sections 477A.011 to 477A.03, counties and cities must conform to the standards set in subdivision 2 in making all financial reports required to be made to the state auditor after June 30, 1984.”*

Page 101, line 13, delete “subdivisions 4,”

Page 101, line 14, delete “5, 8, and” and insert “subdivision”

Page 101, line 16, delete “13” and insert “18”

Renumber the sections in sequence

Correct the internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	Laidig	Renneke
Belanger	Frank	Jude	McQuaid	Schmitz
Benson	Frederick	Kamrath	Mehrkens	Storm
Berg	Frederickson	Knaak	Olson	Stumpf
Bernhagen	Freeman	Knutson	Peterson, D.L.	Taylor
Bertram	Isackson	Kronebusch	Ramstad	Vega

Those who voted in the negative were:

Adkins	Diessner	Luther	Peterson, D.C.	Sieloff
Berglin	Dieterich	Merriam	Peterson, R.W.	Solon
Chmielewski	Johnson, D.J.	Moe, D. M.	Petty	Spear
Dahl	Kroening	Moe, R. D.	Pogemiller	Waldorf
Davis	Langseth	Nelson	Purfeerst	Wegscheid
DeCramer	Lantry	Pehler	Reichgott	Willet
Dicklich	Lessard	Peterson, C.C.	Samuelson	

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

Mr. Benson moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 57, after line 27, insert:

“Sec. 40. [REPEALER.]

*Minnesota Statutes 1982, section 290.01, subdivisions 20f and 28, are repealed.”*

Page 57, line 34, before “*The*” insert “*Section 40 is effective for property placed in service after December 31, 1982.*”

Renumber the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Kamrath	McQuaid	Renneke
Belanger	Frederick	Knaak	Mehrkens	Sieloff
Benson	Frederickson	Knutson	Olson	Storm
Berg	Isackson	Kronebusch	Peterson, D.L.	Taylor
Bernhagen	Johnson, D.E.	Laidig	Ramstad	Ulland

Those who voted in the negative were:

Adkins	Frank	Luther	Peterson, R.W.	Stumpf
Berglin	Freeman	Merriam	Petty	Vega
Bertram	Hughes	Moe, D. M.	Pogemiller	Waldorf
Chmielewski	Johnson, D.J.	Moe, R. D.	Purfeerst	Wegscheid
Dahl	Jude	Nelson	Reichgott	Willet
Davis	Kroening	Novak	Samuelson	
DeCramer	Langseth	Pehler	Schmitz	
Diessner	Lantry	Peterson, C.C.	Solon	
Dieterich	Lessard	Peterson, D.C.	Spear	

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

Mr. Isackson moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Pages 152 through 154, delete sections 19, 20 and 21

Page 158, line 36, delete “*taxable years beginning*” and insert “*gain realized*”

Page 159, line 11, delete “*to 21*”

Renumber the sections in sequence

Correct any internal cross-references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson	Storm
Belanger	Frederickson	Kronebusch	Peterson, D.L.	Ulland
Berg	Isackson	Laidig	Petty	
Bernhagen	Johnson, D.E.	Lessard	Ramstad	
Brataas	Kamrath	McQuaid	Renneke	
Dieterich	Knaak	Mehrkens	Sieloff	

Those who voted in the negative were:

Adkins	Frank	Luther	Peterson, D.C.	Spear
Berglin	Freeman	Merriam	Peterson, R.W.	Stumpf
Bertram	Hughes	Moe, D. M.	Pogemiller	Vega
Chmielewski	Johnson, D.J.	Moe, R. D.	Purfeerst	Waldorf
Dahl	Jude	Nelson	Reichgott	Wegscheid
Davis	Kroening	Novak	Samuelson	Willet
DeCramer	Langseth	Pehler	Schmitz	
Diessner	Lantry	Peterson, C.C.	Solon	

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

Mr. Belanger moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 120, delete section 6

Page 120, line 22, delete "6" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, delete "and extending it"

Page 1, line 25, delete "to motor vehicles"

Page 2, line 37, delete "297B.02, as amended;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson	Storm
Belanger	Frederickson	Kronebusch	Peterson, D.L.	Stumpf
Berg	Isackson	Laidig	Ramstad	Ulland
Bernhagen	Johnson, D.E.	Lessard	Renneke	Wegscheid
Bertram	Kamrath	McQuaid	Schmitz	
Brataas	Knaak	Mehrkens	Sieloff	

Those who voted in the negative were:

Adkins	Diessner	Kroening	Novak	Reichgott
Berglin	Dieterich	Langseth	Pehler	Samuelson
Chmielewski	Frank	Lantry	Peterson, C. C.	Solon
Dahl	Freeman	Luther	Peterson, D.C.	Spear
Davis	Hughes	Merriam	Peterson, R. W.	Vega
DeCramer	Johnson, D.J.	Moe, R. D.	Petty	Waldorf
Dicklich	Jude	Nelson	Pogemiller	Willet

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

Mrs. McQuaid moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 190, after line 25, insert:

#### “ARTICLE 18

Section 1. Minnesota Statutes 1982, section 290.06, subdivision 14, is amended to read:

Subd. 14. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), *and a credit of 15 percent of the first \$2,000 of energy conservation expenditures made by a taxpayer and installed in or on a dwelling unit located in Minnesota*, may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term “building” shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

A “renewable energy source expenditure” which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy source credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, ~~1981~~ 1982, and any regulations promulgated pursuant thereto, provided that, after December 31, 1980, any solar collector included in the claimed expenditure is certified by the commissioner of energy, planning and development. A solar collector is a device designed to absorb incident solar radiation, convert it to thermal energy, and transfer the thermal energy to a fluid passing through or in contact with the device. “Solar collector” shall not include passive solar energy systems as defined in clause (d);

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an “earth sheltered dwelling unit” shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment located in Minnesota which produces ethanol, methane or methanol for use as a gaseous or as a

liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include either or both:

(1) Control and distribution element, including fans, louvers, and air ducts; or

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules adopted by the commissioner of revenue in cooperation with the commissioner of energy, planning and development. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

*An "energy conservation expenditure" is an expenditure which qualifies for the federal energy conservation credit pursuant to section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1982, and any regulations promulgated pursuant thereto.*

If a credit for a renewable energy source expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum renewable energy source expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$10,000 reduced by the amount of renewable energy source expenditures which a credit was claimed pursuant to this subdivision in prior years. A taxpayer shall never be allowed to claim more than \$10,000 of expenditures during the duration of the renewable energy credit.

*If a credit for an energy conservation expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum energy conservation expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$2,000 reduced by the amount of energy conservation expenditures which a credit was claimed pursuant to this subdivision in prior years. A taxpayer shall never be allowed to claim more than \$2,000 of expenditures during the duration of the energy conservation credit.*

The A credit provided in this subdivision shall not be allowed in a taxable year if the amount sum of the credit credits would be less than \$10.

If ~~the~~ a credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount may be carried forward to a taxable year beginning after December 31, 1987.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the ~~credit~~ *credits* provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, ~~1981~~ 1982. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The ~~credit~~ *credits* provided in this subdivision ~~is~~ *are* subject to the provisions of Section 44C, (c) (7) and (10), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, ~~1981~~ 1982, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the commissioner of energy, planning and development shall adopt rules establishing additional qualifications and definitions for the credits provided in this subdivision.

Notwithstanding section 290.61, the commissioner of revenue may request the commissioner of energy, planning and development to assist in the review and auditing of the information furnished by the taxpayer for purposes of claiming this credit. The provisions of section 290.61 shall apply to employees of the department of energy, planning and development who receive information furnished by a taxpayer for purposes of claiming this credit.

The commissioner of energy, planning and development shall adopt rules establishing the criteria for certification of solar collectors as required by clause (a). The criteria shall:

(1) Specify the testing procedures to be used in the evaluation of solar collectors;

(2) Establish minimum levels of collector quality for safety;

(3) Provide a means to determine the maintainability and structural integrity of solar collectors;

(4) Establish a system for evaluating and rating the thermal performance of solar collectors;

(5) Specify the procedures to follow to obtain certification of a solar collector;

(6) Conform to the maximum extent practicable to the solar collector certification requirements of other states which have adopted certification procedures; and

(7) Allow for individual variation so as not to hamper the development of innovative solar collectors.

The commissioner of energy, planning and development may adopt temporary rules pursuant to sections 14.29 to 14.36 to establish this certifica-



tion procedure.

~~This subdivision~~ *The credit for renewable energy source expenditures is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, 1986. The credit for energy conservation expenditures is effective for expenditures made in taxable years beginning after December 31, 1982, and before January 1, 1986."*

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Kamrath	Mehrkens	Storm
Belanger	Dahl	Knaak	Olson	Taylor
Benson	Frederick	Knutson	Peterson, D.L.	Ulland
Berg	Frederickson	Kronebusch	Ramstad	Wegscheid
Bernhagen	Isackson	Laidig	Renneke	
Brataas	Johnson, D.E.	McQuaid	Sieloff	

Those who voted in the negative were:

Adkins	Frank	Luther	Peterson, D.C.	Solon
Berglin	Hughes	Merriam	Peterson, R.W.	Spear
Bertram	Johnson, D.J.	Moe, D. M.	Petty	Stumpf
Davis	Jude	Moe, R. D.	Pogemiller	Vega
DeCramer	Kroening	Nelson	Purfeerst	Waldorf
Dicklich	Langseth	Novak	Reichgott	Willett
Diessner	Lantry	Pehler	Samuelson	
Dieterich	Lessard	Peterson, C.C.	Schmitz	

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

Mr. Laidig moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 174, line 36, delete everything after "Section 1."

Page 175, delete lines 1 to 12, and insert:

"[REPEALER.]

*Minnesota Statutes 1982, section 340.986, is repealed."*

Amend the title as follows:

Page 1, line 41, delete "imposing a" and insert "abolishing the"

Page 1, line 42, delete "retail" and insert "on-sale"

Page 2, line 39, delete "340.986;"

Page 2, line 53, after "298.75;" insert "340.986;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kronebusch	Peterson, D.L.	Taylor
Benson	Isackson	Laidig	Ramstad	Ulland
Berg	Johnson, D.E.	Lessard	Renneke	
Bernhagen	Kamrath	McQuaid	Schmitz	
Brataas	Knaak	Mehrkens	Sieloff	
Frederick	Knutson	Olson	Storm	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Pehler	Solon
Berglin	Dieterich	Lantry	Peterson, D.C.	Spear
Bertram	Frank	Luther	Peterson, R. W.	Stumpf
Chmielewski	Freeman	Merriam	Petty	Vega
Dahl	Hughes	Moe, D. M.	Pogemiller	Waldorf
Davis	Johnson, D.J.	Moe, R. D.	Purfeerst	Wegscheid
DeCramer	Jude	Nelson	Reichgott	Willet
Dicklich	Kroening	Novak	Samuelson	

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

Mr. Ulland moved to amend H.F. No. 1259, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 11.)

Page 20, line 27, before the period insert “;

*(h) If a taxpayer renders services to a charitable institution, incurs unreimbursed transportation costs which are allowed as a deduction under section 170 of the Internal Revenue Code, and elects to use the standard mileage rate allowed for such expenses, add the amount by which the expense computed at the standard mileage rate which is allowed for business expenses exceeds the expenses computed at the standard mileage rate allowed under section 170 of the Internal Revenue Code. This amount is subject to the limitation contained in clause (g)”*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Peterson, D.L.	Ulland
Belanger	Frederickson	Kronebusch	Ramstad	Vega
Benson	Isackson	Laidig	Renneke	
Berg	Johnson, D.E.	McQuaid	Sieloff	
Bernhagen	Kamrath	Mehrkens	Storm	
Brataas	Knaak	Olson	Taylor	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Pehler	Samuelson
Berglin	Dieterich	Lantry	Peterson, C.C.	Schmitz
Bertram	Frank	Lessard	Peterson, D.C.	Solon
Chmielewski	Freeman	Luther	Peterson, R. W.	Spear
Dahl	Hughes	Merriam	Petty	Stumpf
Davis	Johnson, D.J.	Moe, D. M.	Pogemiller	Waldorf
DeCramer	Jude	Moe, R. D.	Purfeerst	Wegscheid
Dicklich	Kroening	Nelson	Reichgott	Willet

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

H.F. No. 1259 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 35 and nays 32, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Lantry	Novak	Reichgott
Berglin	Dieterich	Lessard	Pehler	Schmitz
Brataas	Frank	Luther	Peterson, C. C.	Solon
Chmielewski	Freeman	Merriam	Peterson, D. C.	Spear
Dahl	Hughes	Moe, D. M.	Peterson, R. W.	Stumpf
Davis	Johnson, D. J.	Moe, R. D.	Pogemiller	Vega
Dicklich	Kroening	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Anderson	Frederick	Knutson	Peterson, D. L.	Taylor
Belanger	Frederickson	Kronebusch	Petty	Ulland
Benson	Isackson	Laidig	Ramstad	Waldorf
Berg	Johnson, D. E.	Langseth	Renneke	Wegscheid
Bernhagen	Jude	McQuaid	Samuelson	
Bertram	Kamrath	Mehrrens	Sieloff	
DeCramer	Knaak	Olson	Storm	

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Johnson, D.J. moved that S.F. No. 11, No. 60 on Special Orders, be stricken and laid on the table. The motion prevailed.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 7:30 p.m. The motion prevailed.

The hour of 7:30 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.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House and First Reading of House Bills. The motion prevailed.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 598.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1983

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1168.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

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. 1003: A bill for an act relating to public welfare; establishing a medical assistance social health maintenance organization demonstration project; proposing new law coded in Minnesota Statutes, chapter 256B.

Senate File No. 1003 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1983

Mr. Petty moved that the Senate do not concur in the amendments by the House to S.F. No. 1003, 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 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. 292: A bill for an act relating to public welfare; defining persons responsible for a child's care under the child abuse reporting law; amending Minnesota Statutes 1982, section 626.556, subdivisions 2, 7, and 10.

Senate File No. 292 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

Mr. Luther moved that the Senate do not concur in the amendments by the House to S.F. No. 292, 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 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. 398: A bill for an act relating to vulnerable adults; refining the Vulnerable Adults Reporting Act; specifying reporting requirements; specifying access to reports; preventing record destruction; amending Minnesota Statutes 1982, section 626.557, subdivisions 2, 3, 4, 10, 12, 14, and by adding a subdivision; repealing Minnesota Statutes 1982, section 626.557, subdivision 12a.

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

Clawson, Greenfield and Blatz.

Senate File No. 398 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

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. 639: A bill for an act relating to energy; changing a cross-reference for nonpublic data reporting; amending the definition of "earth sheltered"; changing the due date of biennial energy reports; amending Minnesota Statutes 1982, sections 13.68, subdivision 1; 116J.06, subdivision 2; and 116J.18, subdivision 1.

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

Piper, Voss and Waltman.

Senate File No. 639 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

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. 463: A bill for an act relating to port authorities; authorizing revenue bond financing of certain facilities; eliminating the interest rate limit on revenue bonds and authorizing private sale; clarifying contractual and operational authority of port authorities; amending Minnesota Statutes 1982, sections 458.192, subdivisions 1, 4, and by adding a subdivision; 458.194, subdivisions 2, 3, and by adding a subdivision; and 458.195, by adding a subdivision.

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

Cohen, Riveness and Pauly.

Senate File No. 463 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

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. 800: A bill for an act relating to health; providing for retention

and destruction of certain medical records; amending Minnesota Statutes 1982, section 145.32.

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

Brandt, Swanson and Blatz.

Senate File No. 800 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

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. 892: A bill for an act relating to insurance; authorizing the establishment of joint self-insurance employee health plans; providing administrative, trust, bonding, investment, and reporting requirements; establishing a quarterly revenue fee; proposing new law coded as Minnesota Statutes, chapter 62H.

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

Berkelman, Metzen and Kvam.

Senate File No. 892 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 10, 1983

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1259:

H.F. No. 1259: A bill for an act relating to the operation of government in this state; modifying the definition of gross income; adopting federal definitions of itemized deductions; updating the references to the Internal Revenue Code; extending the duration of the temporary income tax surtax and changing its computation; modifying the deduction of federal income taxes; assigning certain gambling winnings by nonresidents to Minnesota; imposing withholding tax on certain gambling winnings and horse racing purses; repealing certain income tax credits for pollution control expenditures; limiting the subtraction for unemployment compensation; providing for timely payment of withholding income taxes; modifying the dependent care credit; providing for certain studies; changing the refund method for the sales tax on electricity used in agricultural production; clarifying the uses of funds from the non-game wildlife checkoff; making the six percent sales and use tax rate permanent; increasing the motor vehicle excise tax rate to six percent; modifying the enterprise zone law; providing for state tax incentives in enterprise zones; limiting the number of enterprise zones; reducing the corporate income tax rate; eliminating the deduction for certain income and franchise taxes paid by corporations; changing the deduction for corporate capital gains; providing small business investment credits;

providing an additional research credit; modifying the definition of market value; requiring additional information on the certificate of value; mandating that homestead affidavits be filed in all counties; requiring that all contracts for deed be recorded; restricting the use of sales ratio studies as evidence; eliminating the agricultural mill rate credit on farm homes; increasing the agricultural mill rate credit on certain property and providing a maximum credit amount; clarifying the property classification for certain timber property; modifying the wetlands credit; modifying the utility property tax credit; changing certain property tax classification ratios; exempting contracts for deed from the mortgage registry tax and providing penalties for failure to file; exempting cities and towns with populations under 5,000 from levy limitations; modifying the method by which levy limitations are calculated; adding a special levy for certain county purposes; establishing a new homestead credit formula for certain homestead property; modifying the property tax refund formula and increasing the maximum credit; changing the payment dates for the property tax refund; altering the sales tax on liquor, wine, and beer; changing the excise tax credit on fermented malt beverages; delaying the effective date of the rent capitalization method used in assessing agricultural land; repealing the native prairie credit and reimbursement; repealing the wetlands reimbursement; modifying school district cash flow; establishing school aid payment dates for fiscal year 1985 and thereafter; requiring that property taxes be paid 15 days earlier; altering property tax settlement dates; modifying the local government aids distribution formula for counties, cities, and towns; phasing out attached machinery aids and reduced assessment aids; enacting the multi-state tax compact; changing the definition of basic cost of cigarettes for purposes of the unfair cigarette sales act; appropriating money; amending Minnesota Statutes 1982, sections 116J.42, subdivision 7; 124.2137, subdivision 1; 272.02, subdivision 1; 272.03, subdivision 8; 272.115, subdivision 1; 273.11, subdivision 1; 273.115, subdivisions 1, 2, and 3; 273.13, subdivisions 6, 6a, 7, 8a, 9, 11, 14a, 17, 17b, 17c, 20, and by adding a subdivision; 273.1312, subdivisions 2, 3, 4, and 5; 273.1313, subdivisions 1, 2, 3, and 5; 273.138, by adding a subdivision; 273.139, by adding a subdivision; 275.50, subdivision 2, and by adding subdivisions; 275.51, by adding subdivisions; 275.53, by adding a subdivision; 276.09; 276.10; 276.11; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivisions 4 and 5; 279.01, subdivision 1; 287.05, subdivision 1; 290.01, subdivisions 19, 20, 20a, as amended, 20b, as amended, and 20f; 290.05, subdivision 6; 290.06, subdivisions 1, 2e, as amended, 11, and 14; 290.067, subdivisions 1 and 2; 290.068, by adding a subdivision; 290.09, subdivisions 1, 2, 3, as amended, 4, 5, 28, and 29; 290.091; 290.14; 290.16, subdivision 4; 290.17, subdivision 2; 290.18, subdivisions 1 and 2; 290.21, subdivisions 1 and 3; 290.23, subdivision 5; 290.31, subdivisions 2 and 3; 290.39, subdivision 2; 290.431; 290.46; 290.92, subdivisions 2a, 6, and by adding subdivisions; 290A.03, subdivisions 3, 6, 8, 11, 13, as amended, and by adding a subdivision; 290A.04, subdivisions 1, 2, 2a, 2b, and 3; 290A.07, subdivision 2a; 290A.16; 290A.18; 290A.19; 297A.02, as amended; 297A.03, subdivision 2, as amended; 297A.14, as amended; 297A.35, subdivision 3; 297B.02, as amended; 325D.32, subdivision 9; 340.14, subdivision 1; 340.47, subdivision 2; 473F.08, subdivision 7a; 477A.011, subdivisions 6, 7, 10, and by adding subdivisions; 477A.012; 477A.013; 477A.014, subdivision 1; and Laws 1981, First Special Session chapter 1, article II, section 25; and Third Special Session chapter 2, article III, section 22, as amended; proposing new law coded in Minnesota Statutes, chapters 116C; 124; 273; 290; 477A; and 507; repealing Minnesota Statutes 1982,

sections 273.116; 273.138, subdivisions 1, 2, 3, 4, 5, and 6; 273.139, subdivisions 1 and 2; 273.42, subdivision 2; 273.425; 275.51, subdivisions 3e and 5; 290.01, subdivisions 23, 27, and 28; 290.032, subdivision 5; 290.06, subdivisions 9 and 9a; 290.077, subdivision 2; 290.08, subdivision 25; 290.09, subdivisions 10, 15, 22, and 27; 290.21, subdivision 3a; 290.501; 290A.07, subdivision 3; 340.986; 352C.07; 477A.011, subdivisions 8 and 9; and Laws 1982, chapter 523, article VII, section 3; and Third Special Session chapter 1, article V, section 4.

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

Tomlinson, Brandl, Vanasek, Eken and Sieben have been appointed as such committee on the part of the House.

House File No. 1259 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 May 10, 1983

Mr. Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1259, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 435, 495, 855, 875, 782 and 1224.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 10, 1983

### FIRST READING OF HOUSE BILLS

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

H.F. No. 435: A bill for an act relating to crimes; establishing degrees of burglary; prescribing penalties; providing mandatory terms of incarceration; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, section 609.58.

Referred to the Committee on Rules and Administration for comparison with S.F. No 483, now on Special Orders.

H.F. No. 495: A bill for an act relating to mental health; regulating the collection, use, and disclosure of mental health agency data; amending Minnesota Statutes 1982, section 245.69, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 674, now on Special Orders.

H.F. No. 855: A bill for an act relating to contracts; prohibiting the en-



forcement of indemnification agreements in construction contracts; proposing new law coded as Minnesota Statutes, chapter 337.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1142, now on Special Orders.

H.F. No. 875: A bill for an act relating to the city of Bloomington; permitting the establishment of special service districts; providing taxing and other financial authority for Bloomington.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 782: A bill for an act relating to courts; providing for increases in maximum authorized fines for crimes and petty misdemeanors; increasing the value of stolen property necessary for felony theft; increasing the maximum government tort liability limits; amending Minnesota Statutes 1982, sections 3.736, subdivision 4; 466.04, subdivisions 1 and 3; 609.02, subdivisions 3, 4, and 4a; 609.03; and 609.52, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, sections 609.031 and 609.032.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 795, now on Special Orders.

H.F. No. 1224: A bill for an act relating to occupations and professions; regulating the period of time between professional boxing contests, matches, or exhibitions; amending Minnesota Statutes 1982, section 341.115; proposing new law coded in Minnesota Statutes, chapter 341.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 952, now on Special Orders.

## MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Waldorf moved that H.F. No. 1283 be taken from the table. The motion prevailed.

H.F. No. 1283: A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes to the department of education, higher education coordinating board, state university board, state community college board, University of Minnesota, and the Mayo medical foundation, with certain conditions; establishing a state board of vocational technical education; providing it and certain independent and intermediate school districts operating vocational technical schools with certain powers and duties; changing the authority and duties of the above named agencies, or one or more of them, or certain of their advisory councils with respect to governance, duration of existence, disposition of property, employment and compensation of personnel, tuition, institutional closings, gifts, appropriations, parking fees, scholarships, grants-in-aid, planning, hospital charges, and related educational matters; amending Minnesota Statutes 1982, sections 43A.18, subdivision 4; 120.17, subdivision 7a; 121.212, subdivision 2; 121.931, subdivision 7; 121.934, subdivision 2; 123.742, by adding a subdivision; 123.743; 124.48; 125.05, by adding a subdivision; 136.03; 136.034; 136.11, subdivision 1; 136.144; 136.62, by adding a subdivision; 136.63, subdivision 1a; 136.67, by adding a subdivision; 136A.121; 136A.14; 136A.141;

136A.143; 136A.15; 136A.16; 136A.17; 136A.26; 136A.29, subdivisions 2 and 9; 136A.42; and 158.05; proposing new law coded in Minnesota Statutes, chapters 136 and 136A; proposing new law coded as Minnesota Statutes, chapter 135A; and 136C; repealing Minnesota Statutes 1982, sections 121.11, subdivision 1; 121.217; 121.902, subdivision 1a; 121.936, subdivision 6; 124.53; 136A.144; 136A.145; 136A.146; 136A.161; 136A.18; 136A.19; 136A.20; 136A.21; and 136A.22.

### 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. 1283 and that the rules of the Senate be so far suspended as to give H.F. No. 1283 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1283 was read the second time.

Mr. Waldorf moved to amend H.F. No. 1283 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1283, and insert the language after the enacting clause, and the title, of S.F. No. 1232, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved that S.F. No. 1232 be laid on the table. The motion prevailed.

### CALL OF THE SENATE

Mr. Waldorf imposed a call of the Senate for the balance of the proceedings on H.F. No. 1283. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Renneke moved to amend H.F. No. 1283, as amended by the Senate on May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 1232.)

Page 7, line 54, delete "103,661,900" and insert "105,069,900" and delete "103,131,100" and insert "104,568,100"

Page 8, line 54, delete "50,645,000" and insert "51,343,000" and delete "51,778,200" and insert "52,502,200"

Page 9, line 51, delete "293,160,900" and insert "295,688,500" and delete "297,066,500" and insert "299,689,000"

Page 10, line 1, delete "244,422,200" and insert "246,949,800" and delete "244,422,200" and insert "247,044,700"

Page 10, line 14, delete "\$241,014,800" and insert "\$243,542,400"

Page 10, line 15, delete "\$241,922,200" and insert "\$244,544,700"

Page 10, line 24, delete "\$117,188,700" and insert "\$114,661,100"

Page 10, line 26, delete "\$123,712,400" and insert "\$121,089,900"

Page 10, line 52, delete "\$243,107,300" and insert "\$237,702,800"

Page 10, line 53, delete "\$252,277,500" and insert "\$247,003,400"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Johnson, D.E.	McQuaid	Renneke
Belanger	Frederick	Kamrath	Mehrkens	Sieloff
Berg	Frederickson	Knaak	Olson	Storm
Bernhagen	Freeman	Kronebusch	Peterson, D.L.	Stumpf
DeCramer	Isackson	Laidig	Ramstad	Ulland

Those who voted in the negative were:

Adkins	Frank	Merriam	Peterson, R.W.	Spear
Berglin	Hughes	Moe, D. M.	Petty	Taylor
Bertram	Johnson, D.J.	Moe, R. D.	Pogemiller	Vega
Chmielewski	Jude	Nelson	Purfeerst	Waldorf
Dahl	Kroening	Novak	Reichgott	Wegscheid
Davis	Langseth	Pehler	Samuelson	Willett
Dicklich	Lantry	Peterson, C.C.	Schmitz	
Diessner	Luther	Peterson, D.C.	Solon	

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

Mr. Renneke then moved to amend H.F. No. 1283, as amended by the Senate on May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 1232.)

Pages 16 to 18, delete sections 11, 12, and 13

Pages 18 and 19, delete section 15

Page 43, line 36, delete "32, 35, and 39" and insert "28, 31, and 35"

Page 44, line 2, delete "33, 34, 36, 37, 38, and 42" and insert "29, 30, 32, 33, 34, and 38"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, delete "chapters 135A; and" and insert "chapter"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 48, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Isackson	McQuaid	Sieloff
Belanger	Frederick	Kamrath	Peterson, D.L.	
Benson	Frederickson	Kronebusch	Renneke	

Those who voted in the negative were:

Adkins	Dieterich	Lantry	Peterson, D.C.	Spear
Berg	Frank	Lessard	Peterson, R.W.	Stumpf
Berglin	Freeman	Luther	Petty	Taylor
Bertram	Hughes	Mehrkens	Pogemiller	Ulland
Chmielewski	Johnson, D.E.	Merriam	Purfeerst	Vega
Dahl	Johnson, D.J.	Moe, R. D.	Ramstad	Waldorf
Davis	Jude	Nelson	Reichgott	Wegscheid
DeCramer	Knaak	Novak	Samuelson	Willett
Dicklich	Kroening	Olson	Schmitz	
Diessner	Langseth	Pehler	Solon	

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

Ms. Olson moved to amend H.F. No. 1283, as amended by the Senate May 10, 1983, as follows:

(The text of the amended House File is identical to S.F. No. 1232.)

Page 34, line 21, delete "CHANCELLOR" and insert "COMMISSIONER"

Page 34, line 21, delete "*Chancellor*" and insert "*Commissioner*" in both places

Page 36, lines 16, 19, 29, 31, 33, 35, and 36, delete "*chancellor*" and insert "*commissioner*"

Page 36, line 28, delete "CHANCELLOR" and insert "COMMISSIONER"

The motion prevailed. So the amendment was adopted.

H.F. No. 1283 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 56 and nays 9, as follows:

Those who voted in the affirmative were:

Adkins	Frederick	Lantry	Peterson, D.L.	Storm
Anderson	Frederickson	Lessard	Peterson, R.W.	Stumpf
Berg	Freeman	Luther	Petty	Taylor
Berglin	Hughes	McQuaid	Pogemiller	Ulland
Bertram	Isackson	Mehrkens	Purfeerst	Vega
Chmielewski	Johnson, D.E.	Moe, D. M.	Ramstad	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Reichgott	Wegscheid
Davis	Jude	Nelson	Renneke	Willet
DeCramer	Knaak	Novak	Samuelson	
Dicklich	Kroening	Olson	Schmitz	
Diessner	Laidig	Pehler	Sieloff	
Frank	Langseth	Peterson, C.C.	Solon	

Those who voted in the negative were:

Belanger	Bernhagen	Kamrath	Merriam	Spear
Benson	Dieterich	Kronebusch	Peterson, D.C.	

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

### 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. 1233 and that the rules of the Senate be so far suspended as to give S.F. No. 1233 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 1233: A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; fixing and limiting fees; providing for adjustments of responsibilities of the department of agriculture for soil and water conservation; allowing limited donation of accumulated vacation time by certain law enforcement employees to their union

representative; providing for deposit of proceeds of assessment by the assigned risk review board; regulating financial assistance to public transit systems; limiting certain hearing functions of the transportation regulation board; transferring certain rules authority to the transportation regulation board; reducing membership and establishing terms of members of the public utilities commission; defining enforcement powers of the hazardous material specialists and transportation representatives of the department of transportation; defining terms and requirements for building movers; crediting certain receipts of the commissioner of transportation to the trunk highway fund; providing for certain costs to be paid from the trunk highway fund; authorizing the commissioner of transportation to enforce certain carrier regulations; extending retirement coverage of certain employees of the department of transportation from age 60 to age 62 and providing for disability benefits; transferring and renaming the air transportation revolving account; instructing the commissioner of transportation to charge users of certain air transportation services for certain costs; limiting fare increases by the metropolitan transit commission; basing taxing for the metropolitan transit taxing district upon the level of transit service provided; providing for the disposition of proceeds of certain trunk highway bonds; reducing the amount appropriated from the bridge construction account in the trunk highway fund to the department of transportation; amending Minnesota Statutes 1982, sections 12.14; 17A.04, subdivision 5; 18.51, subdivision 2; 18.52, subdivision 5; 18.53; 18.54; 18A.22, subdivisions 5 and 7; 18A.26; 27.041, subdivision 2; 28A.08; 28A.09; 32.075; 32.59; 34.02; 34.05, subdivision 1; 40.03, subdivision 2, as amended; 43A.04, by adding a subdivision; 79.251, subdivision 1; 155A.07, subdivision 7; 155A.08, subdivision 5; 169.81, subdivision 3b; 169.86, subdivision 5; 169.862; 170.23; 171.26; 171.29, subdivision 2; 173.07, subdivision 2; 173.08, subdivision 1; 173.13, subdivision 4; 174.24, subdivision 3; 174A.02, subdivision 2; 174A.06; 216A.03, subdivision 1; 221.061; 221.071; 221.131; 221.221; 221.296, subdivision 5; 221.64; 221.81; 296.17, subdivisions 10, 17, and 20; 296.25, subdivision 1; 299C.46, subdivision 3; 352.86, subdivisions 1, 2, and by adding a subdivision; 360.018, subdivision 1; 360.63; 473.408, subdivision 3 and by adding a subdivision; 473.446, subdivision 1, as amended; 500.221, subdivision 4; 626.88, subdivision 2; Laws 1975, chapter 235, section 2; Laws 1977, chapter 277, sections 1 and 3, subdivision 1; and Laws 1983, chapter 17, section 12; proposing new law coded in Minnesota Statutes, chapters 10A; 221; 299C; and 360; repealing Minnesota Statutes 1982, sections 24.24; 24.25; 24.26; 24.27; 24.28; 24.29; 24.30; 24.31; 160.26, subdivision 3; 174.265; and 174A.07.

S.F. No. 1233 was read the second time.

Mr. Ramstad moved to amend S.F. No. 1233 as follows:

Page 6, delete line 4 and insert:

“\$ 4,825,000        \$ 4,825,000”

Page 6, delete line 19 and insert:

“\$ 5,259,200        \$ 5,259,200”

Page 6, delete line 21 and insert:

“\$ 9,703,300        \$ 9,703,300”

Page 6, line 25, delete "\$4,987,500" and insert "\$4,537,500"

Page 6, line 26, delete "\$4,987,500" and insert "\$4,537,500"

### CALL OF THE SENATE

Mr. Langseth imposed a call of the Senate for the balance of the proceedings on S.F. No. 1233. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the Ramstad amendment.

The roll was called, and there were yeas 18 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kronebusch	Olson	Storm
Belanger	Isackson	Laidig	Peterson, D.L.	Taylor
Benson	Johnson, D.E.	McQuaid	Ramstad	
Bernhagen	Kamrath	Mehrken	Sieloff	

Those who voted in the negative were:

Adkins	Dieterich	Langseth	Peterson, R.W.	Stumpf
Berglin	Frank	Lantry	Petty	Vega
Bertram	Freeman	Lessard	Pogemiller	Waldorf
Chmielewski	Hughes	Luther	Purfeerst	Wegscheid
Dahl	Johnson, D.J.	Merriam	Reichgott	Willet
Davis	Jude	Moe, R. D.	Samuelson	
DeCramer	Knaak	Pehler	Schmitz	
Diessner	Kroening	Peterson, D.C.	Spear	

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

Mr. Berg moved to amend S.F. No. 1233 as follows:

Page 9, delete lines 37 to 57

Page 48, line 29, delete "three" and reinstate the stricken language

Page 48, reinstate lines 30 to 35

Page 49, line 3, delete "two" and reinstate the stricken language

Mr. Merriam requested division of the amendment as follows:

First portion:

Page 48, line 29, delete "three" and reinstate the stricken language

Page 48, reinstate lines 30 to 35

Page 49, line 3, delete "two" and reinstate the stricken language

Second portion:

Page 9, delete lines 37 to 57

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

The roll was called, and there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laidig	Peterson, R. W.	Taylor
Belanger	Frederickson	McQuaid	Petty	Ulland
Benson	Isackson	Mehrkens	Ramstad	Wegscheid
Berg	Johnson, D.E.	Merriam	Renneke	
Berglin	Kamrath	Moe, D. M.	Sieloff	
Bernhagen	Knaak	Olson	Spear	
Frank	Kronebusch	Peterson, D.L.	Storm	

Those who voted in the negative were:

Adkins	Diessner	Langseth	Pehler	Schmitz
Bertram	Dieterich	Lantry	Peterson, C. C.	Solon
Chmielewski	Freeman	Lessard	Peterson, D. C.	Stumpf
Dahl	Hughes	Luther	Pogemiller	Vega
Davis	Johnson, D.J.	Moe, R. D.	Purfeerst	Waldorf
DeCramer	Jude	Nelson	Reichgott	Willet
Dicklich	Kroening	Novak	Samuelson	

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 Berg amendment.

The roll was called, and there were yeas 23 and nays 42, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Knaak	Moe, D. M.	Taylor
Belanger	Isackson	Kronebusch	Olson	Ulland
Benson	Johnson, D.E.	Laidig	Ramstad	Wegscheid
Berg	Jude	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkens	Storm	

Those who voted in the negative were:

Adkins	Dieterich	Lessard	Peterson, D.L.	Solon
Berglin	Frank	Luther	Peterson, R. W.	Spear
Bertram	Frederick	Merriam	Petty	Stumpf
Chmielewski	Freeman	Moe, R. D.	Pogemiller	Vega
Dahl	Hughes	Nelson	Purfeerst	Waldorf
Davis	Johnson, D.J.	Novak	Reichgott	Willet
DeCramer	Kroening	Pehler	Samuelson	
Dicklich	Langseth	Peterson, C. C.	Schmitz	
Diessner	Lantry	Peterson, D. C.	Sieloff	

The motion did not prevail. So the second portion of the amendment was not adopted.

Mr. Bernhagen moved to amend S.F. No. 1233 as follows:

Page 45, after line 8, insert:

"Sec. 59. Minnesota Statutes 1982, section 174.03, is amended by adding a subdivision to read:

*Subd. 1a. Only the criteria outlined by the statewide transportation plan, as prepared pursuant to section 174.03 and adopted by the Minnesota department of transportation in July, 1978, shall be used in the prioritization of highway projects on which highway funds shall be expended."*

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kronebusch	Peterson, D.L.	Taylor
Belanger	Isackson	Laidig	Ramstad	Ulland
Benson	Johnson, D.E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkins	Sieloff	
Frederick	Knaak	Olson	Storm	

Those who voted in the negative were:

Adkins	Dieterich	Lessard	Peterson, D.C.	Spear
Berglin	Frank	Luther	Peterson, R.W.	Stumpf
Bertram	Freeman	Merriam	Petty	Vega
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	Wegscheid
Davis	Jude	Nelson	Reichgott	Willett
DeCramer	Kroening	Novak	Samuelson	
Dicklich	Langseth	Pehler	Schmitz	
Diessner	Lantry	Peterson, C.C.	Solon	

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

S.F. No. 1233 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 21, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Lantry	Peterson, C.C.	Solon
Berglin	Freeman	Lessard	Peterson, D.C.	Spear
Bertram	Hughes	Luther	Peterson, R.W.	Stumpf
Chmielewski	Johnson, D.E.	Mehrkins	Petty	Vega
Dahl	Johnson, D.J.	Merriam	Pogemiller	Waldorf
Davis	Jude	Moe, D. M.	Purfeerst	Wegscheid
DeCramer	Kroening	Moe, R. D.	Reichgott	Willett
Dicklich	Kronebusch	Nelson	Samuelson	
Diessner	Langseth	Pehler	Schmitz	

Those who voted in the negative were:

Anderson	Frank	Knaak	Ramstad	Ulland
Belanger	Frederick	Laidig	Renneke	
Benson	Frederickson	McQuaid	Sieloff	
Berg	Isackson	Olson	Storm	
Bernhagen	Kamrath	Peterson, D.L.	Taylor	

So the bill passed and its title was agreed to.

### CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the proceedings on S.F. No. 1011. The Sergeant at Arms was instructed to bring in the absent members.

### SPECIAL ORDER

S.F. No. 1011: A bill for an act relating to unemployment compensation; providing for conformity with federal law; imposing an annual surcharge on



employers' calendar year contributions for the purpose of repayment of interest charged on federal loans; creating the emergency interest repayment fund; adding a category to the extension of base period in the definition of base period; updating the law to reflect current practice; making technical changes; removing obsolete language; regulating administrative practices; providing for the effect of back pay awards; regulating benefit amounts, contributions, and benefit eligibility; amending Minnesota Statutes 1982, sections 268.04, subdivisions 2, 12, 17, 25, 26, 29, and by adding a subdivision: 268.05, subdivision 5; 268.06, subdivisions 1, 2, 3a, 5, 20, 28, and 29; 268.07, subdivisions 2 and 3; 268.071, subdivision 3; 268.08, subdivisions 1, 3, 6, and by adding subdivisions; 268.09, subdivisions 1 and 2; 268.10, subdivisions 2, 3, 4, 5, 6, 7, and 9; 268.11, subdivisions 2 and 3; 268.12, subdivisions 8 and 9; 268.16, subdivision 2; 268.161, subdivisions 1, 4, 5, 7, and 8; 268.18, subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1982, section 268.06, subdivision 32.

Mr. Chmielewski moved to amend S. F. No. 1011 as follows:

Page 31, lines 4 to 6, reinstate the stricken language except the comma in line 6

Page 32, line 15, after "of" insert "*clauses (1) and (2) of*"

Page 46, line 35, after "call" insert "*except that the appellant may request that the hearing be conducted in person*"

Page 52, line 15, strike "be made"

Page 52, strike lines 16 to 19 and insert "*include the employee's name, social security number, and total wages paid to the employee*"

Page 52, line 20, strike everything before the period

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kronebusch	Novak	Schmitz
Anderson	Dieterich	Laidig	Olson	Sieloff
Belanger	Frederick	Langseth	Pehler	Spear
Berg	Frederickson	Lantry	Peterson, D.C.	Storm
Berglin	Hughes	Lessard	Peterson, D.L.	Taylor
Bernhagen	Isackson	Luther	Peterson, R.W.	Ulland
Bertram	Johnson, D.E.	McQuaid	Pogemiller	Vega
Chmielewski	Johnson, D.J.	Mehrkens	Purfeerst	Waldorf
Dahl	Jude	Merriam	Ramstad	Wegscheid
Davis	Kamrath	Moe, D. M.	Reichgott	Willet
DeCramer	Knaak	Moe, R. D.	Renneke	
Dicklich	Kroening	Nelson	Samuelson	

Messrs. Frank; Peterson, C.C. and Stumpf voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski then moved to amend S. F. No. 1011 as follows:

Page 30, line 13, before "The" insert "*All money in*"

Page 30, line 14, delete "*shall be used only*" and insert "*is appropriated*"

to the commissioner"

Page 30, line 16, after "Act" insert ", and shall not be used for any other obligation of the state" and delete "moneys" and insert "money"

Page 30, line 20, after "interest" insert "or net income"

Page 30, line 21, delete "these funds" and insert "money in the fund"

Page 39, delete lines 5 to 13 and insert "based upon services performed for an employer are subject to subdivision 6, clauses (b) and (c), if:

(a) The employment was provided pursuant to a contract between the employer and a public or private school;

(b) The contract was for services which the public or private school could have had performed by its employees;

(c) The employment was not defined in section 268.04, subdivision 12, clauses (7), (8) and (9); and

(d) The individual is notified in writing of the provisions of this subdivision while employed in 1983 or prior to or at the time of commencing the employment."

Page 47, line 10, delete "any" and insert "the appeal of an"

Amend the title as follows:

Page 1, line 13, after the semicolon, insert "appropriating money;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kronebusch	Olson	Schmitz
Anderson	Frank	Langseth	Pehler	Spear
Belanger	Frederick	Lantry	Peterson, C. C.	Storm
Berglin	Frederickson	Lessard	Peterson, D. C.	Stumpf
Bernhagen	Hughes	Luther	Peterson, D. L.	Taylor
Bertram	Isackson	McQuaid	Peterson, R. W.	Vega
Chmielewski	Johnson, D. E.	Mehrkens	Pogemiller	Waldorf
Dahl	Johnson, D. J.	Merriam	Purfeerst	Wegscheid
Davis	Jude	Moe, D. M.	Ramstad	Willet
DeCramer	Kamrath	Moe, R. D.	Reichgott	
Dicklich	Knaak	Nelson	Renneke	
Diessner	Kroening	Novak	Samuelson	

Messrs. Benson, Laidig, Sieloff and Ulland voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Taylor moved to amend S.F. No. 1011 as follows:

Page 39, after line 13, insert:

"Sec. 25. [268.081] [SHARED WORK PLAN.]

The commissioner shall prepare a report on the implementation of a shared work benefit program. The report shall be given to the senate committee on employment and the house committee on governmental operations no later than January 15, 1984. The report shall evaluate existing state laws estab-

*lishing shared work programs and shall contain recommendations for statutory changes to implement a program in Minnesota."*

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 13, after the semicolon, insert "requiring a report to the legislature on shared work benefits;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 57 and nays 7, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kronebusch	Olson	Spear
Anderson	Frank	Laidig	Pehler	Storm
Belanger	Frederick	Langseth	Peterson, D.L.	Stumpf
Benson	Frederickson	Lessard	Peterson, R.W.	Taylor
Berg	Freeman	Luther	Pogemiller	Ulland
Bernhagen	Hughes	McQuaid	Purfeerst	Vega
Bertram	Isackson	Mehrkens	Ramstad	Waldorf
Chmielewski	Johnson, D.E.	Merriam	Reichgott	Wegscheid
Dahl	Jude	Moe, D. M.	Renneke	Willet
Davis	Kamrath	Moe, R. D.	Schmitz	
DeCramer	Knaak	Nelson	Sieloff	
Diessner	Kroening	Novak	Solon	

Those who voted in the negative were:

Berglin	Johnson, D.J.	Peterson, C.C.	Peterson, D.C.	Samuelson
Dicklich	Lantry			

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 1011 as follows:

Page 65, after line 36, insert:

"Sec. 47. Minnesota Statutes 1982, section 290.06, is amended by adding a subdivision to read:

*Subd. 16. [UNEMPLOYMENT COMPENSATION TAX CREDIT.] A corporation may take a credit against the tax due under chapter 290 in an amount equal to the unemployment compensation tax it is required to pay pursuant to chapter 268 with respect to any of its employees who is an owner of 25 percent or more of any class of the stock of the corporation."*

Page 66, line 14, delete "47" and insert "48"

Page 66, line 16, after the period, insert "Section 47 is effective for taxable years beginning after December 31, 1982."

Amend the title as follows:

Page 1, line 13, after the semicolon, insert "providing an income tax credit for certain payments of unemployment compensation tax;"

Page 1, line 23, after "2;" insert "290.06, by adding a subdivision;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Mehrkens	Sieloff
Belanger	Frederickson	Kronebusch	Olson	Storm
Benson	Isackson	Laidig	Peterson, D.L.	Taylor
Berg	Johnson, D.E.	Lessard	Ramstad	Ulland
Bernhagen	Kamrath	McQuaid	Renneke	

Those who voted in the negative were:

Adkins	Diessner	Lantry	Peterson, C.C.	Solon
Berglin	Frank	Luther	Peterson, D.C.	Spear
Bertram	Freeman	Merriam	Peterson, R.W.	Stumpf
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Vega
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	Waldorf
Davis	Jude	Nelson	Reichgott	Wegscheid
DeCramer	Kroening	Novak	Samuelson	Willet
Dicklich	Langseth	Pehler	Schmitz	

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

Mr. Frederick moved to amend S.F. No. 1011 as follows:

Pages 29 and 30, delete section 16

Page 65, after line 36, insert:

“Sec. 47. [APPROPRIATION.]

*There is appropriated from the general fund in the state treasury to the commissioner of economic security the amount necessary to make the interest payment required on federal funds advanced to the state under section 1202 of the Social Security Act.*

Sec. 48. [REPORT.]

*On January 1, 1984, and on each January 1 thereafter the commissioner shall report to the legislature on the status of the outstanding funds advanced pursuant to section 1202 of the Social Security Act, including the interest charged on those funds.”*

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Storm
Belanger	Frederickson	Kronebusch	Peterson, D.L.	Taylor
Benson	Isackson	Laidig	Ramstad	Ulland
Berg	Johnson, D.E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkens	Sieloff	

Those who voted in the negative were:

Adkins	Diessner	Lantry	Pehler	Schmitz
Berglin	Frank	Lessard	Peterson, C.C.	Solon
Bertram	Freeman	Luther	Peterson, D.C.	Spear
Chmielewski	Hughes	Merriam	Peterson, R.W.	Stumpf
Dahl	Johnson, D.J.	Moe, D. M.	Pogemiller	Vega
Davis	Jude	Moe, R. D.	Purfeerst	Waldorf
DeCramer	Kroening	Nelson	Reichgott	Wegscheid
Dicklich	Langseth	Novak	Samuelson	Willet

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

Mr. Frederick then moved to amend S.F. No. 1011 as follows:

Page 43, line 12, strike everything after "(a)"

Page 43, strike lines 13 to 18 and insert *"Suitable work" means, with respect to any individual, any work which is within the individual's capabilities. Work which poses a significant hazard to an individual's health or morals may be deemed to be unsuitable."*

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

Mr. Bertram moved to amend S.F. No. 1011 as follows:

Page 35, after line 16, insert:

*"(5) The commissioner shall provide each claimant with a carbonized form for reporting job search contacts. The form must have blanks for the following information: (a) the address and phone number of the business at which the individual applied; (b) the position applied for; and (c) the contact person at the business. The form shall be used for one job search every two weeks. The business contact person shall complete the form, sign it, and retain the original copy. The claimant must retain copies of the forms and return them to the employment office at the next report. If a claimant is permitted to make a telephone job search, the claimant shall mail the form, along with a self-addressed envelope, to the business contact who shall complete the form as above, retain the original, and mail a copy back to the claimant. The commissioner shall conduct random and periodic audits of the information reported on the forms to verify that it is true.*

*The commissioner is not required to provide forms to claimants and clause (5) shall not apply if the claimant's county search area has an unemployment rate of 12 percent or more."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 44, as follows:

Those who voted in the affirmative were:

Adkins	Frederick	Lessard	Olson	Stumpf
Bernhagen	Isackson	McQuaid	Peterson, D. L.	Taylor
Bertram	Jude	Mehrkens	Ramstad	Ulland
DeCramer	Laidig	Novak	Renneke	Wegscheid

Those who voted in the negative were:

Anderson	Diessner	Knaak	Nelson	Schmitz
Belanger	Dieterich	Kroening	Pehler	Sieloff
Benson	Frank	Kronebusch	Peterson, C. C.	Solon
Berg	Frederickson	Langseth	Peterson, D. C.	Spear
Berglin	Freeman	Lantry	Peterson, R. W.	Storm
Chmielewski	Hughes	Luther	Pogemiller	Vega
Dahl	Johnson, D. E.	Merriam	Purfeerst	Waldorf
Davis	Johnson, D. J.	Moe, D. M.	Reichgott	Willet
Dicklich	Kamrath	Moe, R. D.	Samuelson	

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

Mr. Pehler moved to amend S.F. No. 1011 as follows:

Page 29, line 29, delete "year of" and insert "years"

Page 29, line 29, delete "for each calendar year" and insert "1983"

Page 29, line 30, delete "thereafter"

Page 29, line 33, delete "for each taxable year thereafter" and insert "1984"

Page 29, line 34, delete "by"

Page 29, line 35, delete everything before the period and insert "the surcharge for taxable year 1983 shall be paid no later than August 31, 1984"

Page 30, line 24, delete "each" and delete "thereafter" and insert "1985"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Pehler	Storm
Belanger	Frederickson	Kronebusch	Peterson, D.L.	Stumpf
Benson	Freeman	Laidig	Ramstad	Taylor
Berg	Isackson	Lessard	Renneke	Ulland
Bernhagen	Johnson, D.E.	McQuaid	Samuelson	Wegscheid
Bertram	Jude	Mehrkins	Schmitz	
DeCramer	Kamrath	Olson	Solon	

Those who voted in the negative were:

Adkins	Dieterich	Luther	Peterson, D.C.	Vega
Berglin	Frank	Merriam	Peterson, R.W.	Waldorf
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Willet
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	
Davis	Kroening	Nelson	Reichgott	
Dicklich	Langseth	Novak	Sieloff	
Diessner	Lantry	Peterson, C.C.	Spear	

The motion prevailed. So the amendment was adopted.

Mr. Taylor moved to amend S.F. No. 1011 as follows:

Page 65, after line 36, insert:

"Sec. 47. [SEASONAL EMPLOYEES.]

*Notwithstanding any other law to the contrary, for the purposes of chapter 268, no benefits shall be paid to an employee during any calendar month in which he has not earned credit weeks in that month in each of the preceding three calendar years. A week shall be considered to be part of a calendar month if four or more days of that week fall within that month."*

Page 66, line 14, delete "47" and insert "48"

Page 66, line 16, delete "and 46" and insert "46, and 48"

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Bertram	Kamrath	Olson	Storm
Belanger	Frederick	Knaak	Peterson, D.L.	Taylor
Benson	Frederickson	Kronebusch	Ramstad	Ulland
Berg	Isackson	McQuaid	Renneke	
Bernhagen	Johnson, D.E.	Mehrkins	Sieloff	

Those who voted in the negative were:

Adkins	Frank	Lessard	Peterson, D. C.	Stumpf
Berglin	Freeman	Luther	Peterson, R. W.	Vega
Chmielewski	Hughes	Merriam	Pogemiller	Waldorf
Dahl	Johnson, D. J.	Moe, D. M.	Purfeerst	Wegscheid
Davis	Jude	Moe, R. D.	Reichgott	Willet
DeCramer	Kroening	Nelson	Samuelson	
Dicklich	Laidig	Novak	Schmitz	
Diessner	Langseth	Pehler	Solon	
Dieterich	Lantry	Peterson, C. C.	Spear	

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

S.F. No. 1011 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. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 41 and nays 23, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Lessard	Peterson, D. C.	Stumpf
Berglin	Frank	Luther	Peterson, R. W.	Vega
Bertram	Freeman	Merriam	Pogemiller	Waldorf
Chmielewski	Hughes	Moe, D. M.	Purfeerst	Wegscheid
Dahl	Johnson, D. J.	Moe, R. D.	Reichgott	Willet
Davis	Jude	Nelson	Samuelson	
DeCramer	Kroening	Novak	Schmitz	
Dicklich	Langseth	Pehler	Solon	
Diessner	Lantry	Peterson, C. C.	Spear	

Those who voted in the negative were:

Anderson	Frederick	Knaak	Olson	Storm
Belanger	Frederickson	Kronebusch	Peterson, D. L.	Taylor
Benson	Isackson	Laidig	Ramstad	Ulland
Berg	Johnson, D. E.	McQuaid	Renneke	
Bernhagen	Kamrath	Mehrkins	Sieloff	

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

### MEMBERS EXCUSED

Mr. Johnson, D.J. was excused from the Session of today from 9:50 to 10:45 a.m. Mr. Dicklich was excused from the Session of today from 3:00 to 3:15 p.m. Mr. Dahl was excused from this evening's Session until 8:45 p.m. Mr. Solon was excused from this evening's Session from 10:30 to 11:30 p.m. Mrs. Brataas was excused from this evening's Session at 9:00 p.m. Mr. Knutson was excused from this evening's Session.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Wednesday, May 11, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate