

NINETY-NINTH DAY

St. Paul, Minnesota, Friday, March 24, 1978

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Nicholas J. Finn.

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

Anderson	Gearty	Laufenburger	Purfeerst	Staples
Ashbach	Gunderson	Lessard	Renneke	Stokowski
Benedict	Hanson	Luther	Schaaf	Strand
Bernhagen	Hughes	McCutcheon	Schmitz	Stumpf
Borden	Humphrey	Menning	Schrom	Tennessee
Chmielewski	Jensen	Moe	Setzepfandt	Ueland, A.
Coleman	Johnson	Nelson	Sieloff	Ulland, J.
Dieterich	Kirchner	Nichols	Sikorski	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Knaak	Penny	Solon	
Frederick	Knoll	Peterson	Spear	

The President declared a quorum present.

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

CALL OF THE SENATE

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

Anderson	Gunderson	McCutcheon	Schmitz	Stumpf
Ashbach	Hanson	Moe	Setzepfandt	Tennessee
Bernhagen	Hughes	Nelson	Sieloff	Ueland, A.
Chmielewski	Humphrey	Nichols	Sikorski	Ulland, J.
Coleman	Jensen	Ogdahl	Sillers	Wegener
Dieterich	Kleinbaum	Penny	Solon	Willet
Dunn	Knoll	Peterson	Spear	
Engler	Laufenburger	Purfeerst	Staples	
Frederick	Lessard	Renneke	Stokowski	
Gearty	Luther	Schaaf	Strand	

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

MEMBERS EXCUSED

Messrs. Bang; Keefe, J.; Knutson; Lewis; Olhoft; Olson and Vega were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 23, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 194, 336, 403, 997, 1229, 1425, 1446, 1495, 1510, 1282, 1285, 1602, 1612, 1616, 1635, 1636, 1656, 1662, 1684, 1690, 1693, 1704, 1727, 1743, 1752, 1830, 1985, 2078, 2183, 2316, and 2342.

Sincerely,
Rudy Perpich, Governor

REPORTS OF COMMITTEES

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

House Concurrent Resolution No. 11. A house concurrent resolution designating May 1st of each year as Law Day U. S. A.

Reports the same back with the recommendation that the resolution be adopted.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Coleman introduced—

Senate Resolution No. 31: A senate resolution relating to conduct of Senate business during the interim between sessions.

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

The powers, duties and procedures set forth in this resolution apply during the interim between the adjournment of the 70th Legislature, 1978 session and the convening of the 71st Legislature, 1979 session.

The Committee on Rules and Administration may, from time to time, assign to the various committees and subcommittees of the Senate, in the interim, matters brought to its attention by any member of the Senate for study and investigation. The standing committees and subcommittees may study and investigate all subjects that come within their usual jurisdiction, as provided by Minnesota Statutes, Section 3.921. A committee shall carry on its work by subcommittee or by committee action as the committee from time to time determines. Any study undertaken by any of the standing committees, or any subcommittee thereof, shall be coordinated to the greatest extent possible with other standing committees or subcommittees of the Senate and House of Representatives, and may, if the committee or subcommittee so determines, be carried on jointly with another committee or subcommittee of the Senate or House of Representatives.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in committees, commissions, and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise. The Subcommittee on Committees may appoint members of the Senate to assist in the work of any committee.

The Committee on Rules and Administration shall establish positions, set compensation, appoint employees and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse such persons for the costs thereof out of monies appropriated to the Senate for the standing committees.

All members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties between the adjournment sine die of the 70th legislature and the convening of the 71st legislature in the manner provided by law. Payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees. The Committee on Rules and Administration shall determine the amount and manner for reimbursement for living and other expenses of each member of the Senate incurred in the performance of his duties when the legislature is not in regular session.

The Secretary of the Senate shall continue to perform his duties between the adjournment sine die of the 70th legislature and the convening of the 71st legislature. During the interim, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered the Senate at the rate established for that position for the 1978 regular session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending meetings of the American Society of Legislative Clerks and Secretaries sponsored by the National Conference of State Legislatures.

Should a vacancy occur in the position of Secretary of the Senate, by resignation or other causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in such capacity during the remainder of the interval between the adjournment sine die of the 70th legislature and the convening of the 71st legislature under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session such employees as may be necessary to finish the business of the Senate at the salaries paid such employees

under the rules of the Senate for the 1978 regular session. He is authorized to employ the necessary employees to prepare for the 1979 session at the salaries in effect at that time.

The Secretary of the Senate shall classify as "permanent" for purposes of Minnesota Statutes, Sections 3.095 and 43.43 those Senate employees heretofore or hereafter certified as "permanent" by the Committee on Rules and Administration.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies, and may reimburse each member for long distance telephone calls and answering services not to exceed \$45 per month, upon proper verification of the expenses incurred, and for such other expenses as may be authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 70th Legislature. He may include in the Senate Journal proceedings of the last day, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after adjournment sine die.

The Secretary of the Senate may pay election and litigation costs as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for the printing of the daily Senate journals, bills, general orders, special orders, calendars, resolutions, printing and binding of the permanent Senate Journal, shall secure bids and enter into contracts for remodeling, improvement and furnishing of Senate office space, conference rooms and the Senate Chamber, and shall purchase all supplies, equipment and other goods and services necessary to carry out the work of the Senate. Any contracts in excess of \$5,000 shall be signed by the Chairman of the Committee on Rules and Administration and another member designated by the Committee on Rules and Administration.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts herein referred to.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate shall be reserved for use by the Senate and

its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration, or the Chairman thereof.

The Custodian of the Capitol shall continue to provide parking space through the Secretary of the Senate for members and staff of the Minnesota State Senate on Aurora Avenue and other areas as may be required for the period between the close of the 1978 regular session and the convening of the 1979 regular session. The Secretary of the Senate is authorized to deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of administration.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Peterson	Spear
Asbach	Gunderson	Laufenburger	Purfeerst	Staples
Benedict	Hanson	Lessard	Renneke	Stokowski
Bernhagen	Hughes	Luther	Schaaf	Strand
Bonden	Humphrey	McCutcheon	Schmitz	Stumpf
Chmielewski	Jensen	Menning	Schrom	Tennessee
Coleman	Johnson	Moe	Setzepfandt	Ueland, A.
Dieterich	Keefe, S.	Nelson	Sieloff	Ulland, J.
Dunn	Kirchner	Nichols	Sikorski	Wegener
Engler	Kleinbaum	Ogdahl	Sillers	Willet
Frederick	Knaak	Penny	Solon	

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 32: A Senate resolution relating to the appointment of a committee to notify the House of Representatives the Senate is ready to adjourn sine die.

BE IT RESOLVED, by the Senate:

That a committee of three members be appointed by the President of the Senate to advise the House of Representatives that the Senate is about to adjourn sine die and ascertain if there is any business pending.

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

APPOINTMENTS

The President made the following appointments pursuant to Senate Resolution No. 32.

Mr. Gunderson, Mmes. Staples and Knaak.

Mr. Coleman introduced—

Senate Resolution No. 33: A Senate resolution relating to the appointment of a committee to notify the Governor the Senate is ready to adjourn sine die.

BE IT RESOLVED, by the Senate:

That the President of the Senate appoint a committee of five members to wait upon The Honorable Rudy Perpich, Governor of the state of Minnesota, and notify him that the Senate is ready to adjourn sine die and determine whether or not he has any message for the Minnesota State Senate.

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

APPOINTMENTS

The President made the following appointments pursuant to Senate Resolution No. 33.

Messrs. Laufenburger; Lessard; Chmielewski; Ueland, A. and Engler.

Mr. Coleman introduced—

Senate Resolution No. 34: A Senate resolution expressing the appreciation of the Legislature to O. M. (Mike) Ousdigian for many years of loyal and efficient service to the state of Minnesota.

WHEREAS, O. M. (Mike) Ousdigian was born in Armenia of Armenian parentage and was subjected to the horrors of slavery as a prisoner of the Turks as a youth; and

WHEREAS, Mike arrived in the United States as an immigrant in 1921 bearing the scars of mistreatment in the slave camp and possessing little other than a keen mind and a sincere desire to succeed in his new homeland; and

WHEREAS, Mike subsequently became an American citizen in 1926, and was graduated from the University of Pennsylvania in 1931; and

WHEREAS, Mike has served as Secretary of the Minnesota Public Employees Retirement Association since May 1, 1938; and

WHEREAS, the experiences of Mike's youth, viewed in contrast with the opportunities of his adult life as an American citizen has instilled in Mike an appreciation of America and the American way of life which has not, and indeed probably cannot, be matched in any native born American; and

WHEREAS, Mike's avocation as a public speaker on subjects generally relating to America and the American way of life have won him wide acclaim and public speaking awards, including the George Washington Medal of Honor from the Freedom Foundation at Valley Forge, Pennsylvania on two occasions and the Second Americanism Medal from the Daughters of the American Revolution; now, therefore,

BE IT RESOLVED, by the Senate of the State of Minnesota, that the sincere appreciation of the Minnesota Legislature go out to O. M. (Mike) Ousdigian for his long and untiring efforts and achievements as a public servant of the state of Minnesota and as a full time booster of America and the American way of life.

BE IT FURTHER RESOLVED, that the Secretary of the Senate transmit a copy of this Resolution to O. M. (Mike) Ousdigian.

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

Mr. Coleman moved to adopt House Concurrent Resolution No. 11, pursuant to committee report adopted today, March 24, 1978.

House Concurrent Resolution No. 11: A House concurrent resolution designating May 1st of each year as Law Day U.S.A.

WHEREAS, Law Day was established by an act of Congress in 1961 as an annual observance on May 1st; and

WHEREAS, citizens today enjoy more rights, greater access to our courts and more ways and means of equitably resolving disputes than ever before; and

WHEREAS, as citizens of this state and nation, it is proper that we reflect on our great heritage and participate in bar association sponsored community programs in recognition of the special day set aside by the Congress of the United States; and

WHEREAS, in order to rededicate ourselves to the principles of the democratic form of government; to emphasize that ours is a government of laws and not of men; and to further the philosophy that "the welfare of the people shall be the supreme law"; now, therefore,

BE IT RESOLVED, by the House of Representatives of the State of Minnesota, the Senate concurring therein, that the Governor of Minnesota is requested to designate and dedicate May 1st of each year as Law Day U.S.A.; and

BE IT FURTHER RESOLVED, that it is not the purpose of this resolution to declare another holiday, but only to designate a day for rededication by the citizens of Minnesota to the principles of democracy, a respect for the law that is so vital to the democratic way of life, and to the support of our state and federal courts of law which uphold and safeguard individual rights and liberties.

The motion prevailed. So the resolution was adopted.

ANNOUNCEMENT

Mr. Laufenburger, for the Committee to Notify the Governor, announced that the Governor had been notified that the Senate is ready to adjourn sine die.

ANNOUNCEMENT

Mr. Gunderson, for the Committee to Notify the House of Representatives, announced that the House of Representatives had been notified that the Senate is ready to adjourn sine die.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that S. F. No. 156 be withdrawn from the Committee on Education and returned to the author. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn sine die. The motion prevailed.

The President announced that the Senate adjourned sine die.

Patrick E. Flahaven, Secretary of the Senate