

FOURTH DAY

St. Paul, Minnesota, Thursday, January 11, 1979

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

Prayer was offered by the Chaplain, Rev. Wayne Like.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey; Keefe, J.; Knoll; Mrs. Staples and Mr. Solon were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Sillers, Peterson and Sieloff introduced—

S. F. No. 86: A bill for an act relating to taxation; inheritance; establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S. F. No. 87: A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

Referred to the Committee on Commerce.

Mr. Nelson introduced—

S. F. No. 88: A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

Referred to the Committee on Local Government.

Mr. Nelson introduced—

S. F. No. 89: A bill for an act relating to education; abolishing the age limit for tuition subsidies for public post-secondary vocational-technical school students; amending Minnesota Statutes 1978, Section 136A.236, Subdivision 2.

Referred to the Committee on Education.

Mr. Moe introduced—

S. F. No. 90: A bill for an act relating to retirement; granting disability benefits to a certain member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Mr. Olhoft introduced—

S. F. No. 91: A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

Referred to the Committee on Education.

Mr. Olhoft introduced—

S. F. No. 92: A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.

Referred to the Committee on Local Government.

Mr. Sieloff introduced—

S. F. No. 93: A bill for an act relating to taxation; income tax; changing definition of gross income; subtracting certain capital gains realized in divorce settlement; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 94: A bill for an act relating to taxation; providing a tax credit for persons whose Social Security benefits are reduced or required to be repaid because of excess earnings of the recipient; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff; Ueland, A. and Engler introduced—

S. F. No. 95: A bill for an act relating to taxation; exempting certain interest income from gross income for income tax purposes; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Purfeerst introduced—

S. F. No. 96: A bill for an act relating to the city of Northfield; authorizing an increase in firemen's service pensions.

Referred to the Committee on Governmental Operations.

Mr. Benedict introduced—

S. F. No. 97: A bill for an act relating to education; directing the commissioner of education to sponsor regional seminars on the school breakfast program; appropriating money.

Referred to the Committee on Education.

Mr. Benedict introduced—

S. F. No. 98: A bill for an act relating to taxation; providing an additional tax on gasoline and special fuel; directing that the additional tax be used for alternative energy research, development and low cost home loans; providing an appropriation; proposing a constitutional amendment to Article XIV, Sections 5 and 10 to allow such a use of tax revenue; amending Minnesota Statutes 1978, Section 296.18, Subdivisions 4 and 5; and Chapter 296, by adding a section.

Referred to the Committee on Transportation.

Messrs. McCutcheon, Coleman, Merriam and Hanson introduced—

S. F. No. 99: A bill for an act relating to taxation; providing for one-time exclusion from gross income of gain from sale of principal residence; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Benedict, Schrom, Willet and Penny introduced—

S. F. No. 100: A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Bang and Davies introduced—

S. F. No. 101: A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 102: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; setting the size of the legislature and providing for apportionments.

Referred to the Committee on Elections.

Mr. Sieloff, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 103: A bill for an act relating to taxation; income tax; providing a deduction for a lessee's share of real property taxes paid on his rented residence; amending Minnesota Statutes 1978, Section 290.09, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 104: A bill for an act relating to taxation; excluding amounts received by beneficiaries from individual retirement accounts or self-employed plans from estate for inheritance tax purposes; amending Minnesota Statutes 1978, Section 291.065.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Wegener, Engler, Nichols and Lessard introduced—

S. F. No. 105: A bill for an act relating to taxation; sales; exempting residential water and sewer services; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Lessard, Engler, Nichols and Wegener introduced—

S. F. No. 106: A bill for an act relating to taxation; sales; exempting electricity furnished for residential use; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1; and Chapter 297A by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, A.; Renneke and Dunn introduced—

S. F. No. 107: A bill for an act relating to state government; extending the contract preference for United States materials to include Mexican and Canadian made materials; amending Minnesota Statutes 1978, Section 16.073.

Referred to the Committee on Governmental Operations.

Messrs. Setzepfandt, Nichols, Olson, Engler and Strand introduced—

S. F. No. 108: A bill for an act relating to education; authorizing the extension, to a certain date, of experimental pairing agreements between certain school districts; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

Referred to the Committee on Education.

Messrs. Setzepfandt, Moe, Hanson, Strand and Sillers introduced—

S. F. No. 109: A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; limiting the width and prescribing conditions for the movement of loads of round baled hay; amending Minnesota Statutes 1978, Section 169.80, Subdivision 2.

Referred to the Committee on Transportation.

Mr. Schrom introduced—

S. F. No. 110: A bill for an act relating to metropolitan government; setting the revenues of the metropolitan sports facilities commission; repealing the liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

Referred to the Committee on Taxes and Tax Laws. Mr. Keefe, S. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sieloff; Dunn; Ueland, A.; Mrs. Knaak and Mr. Engler introduced—

S. F. No. 111: A bill for an act relating to taxation; providing an inflation adjustment for income subject to income tax; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Dunn, Engler, Mrs. Knaak and Mr. Ueland, A. introduced—

S. F. No. 112: A bill for an act relating to taxation; income tax; providing for the deduction of post-secondary educational expenses; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson and Hanson introduced—

S. F. No. 113: A bill for an act relating to taxation; income; allowing consolidated corporate tax returns; amending Minnesota Statutes 1978, Section 290.34, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Willet, Setzepfandt, Hanson and Strand introduced—

S. F. No. 114: A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, and 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Frederick, Sillers and Engler introduced—

S. F. No. 115: A bill for an act relating to taxation; providing for a minimum standard deduction from gross income; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler and Frederick introduced—

S. F. No. 116: A bill for an act relating to taxation; inheritance tax; changing provisions for commissioner's certification of satisfaction of tax lien on affidavits or instruments of conveyance; amending Minnesota Statutes 1978, Section 291.14, Subdivisions 1a, 2, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Dunn, Engler, Strand and Schrom introduced—

S. F. No. 117: A bill for an act relating to special acts passed in accordance with the Constitution, Article XII, Section 2; requiring local approval in certain cases; amending Minnesota Statutes 1978, Sections 645.021 and 645.023, Subdivision 1.

Referred to the Committee on Local Government.

Messrs. Davies, Sieloff, McCutcheon, Strand and Lessard introduced—

S. F. No. 118: A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Davies, McCutcheon, Lessard, Strand and Sieloff introduced—

S. F. No. 119: A bill for an act relating to crimes; providing increased penalties for the receipt of stolen goods from a minor; amending Minnesota Statutes 1978, Section 609.53, by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Davies, Luther, Laufenburger, Sikorski and Ulland, J. introduced—

S. F. No. 120: A bill for an act relating to consumer credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Davies, Coleman, Merriam, Ogdahl and Ulland, J. introduced—

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

Referred to the Committee on Rules and Administration.

Messrs. Davies, Hanson, Merriam and Ulland, J. introduced—

S. F. No. 122: A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

Referred to the Committee on Commerce.

Messrs. Davies, Merriam, Sieloff and Ulland, J. introduced—

S. F. No. 123: A bill for an act relating to state government agencies and officials; requiring rules, findings of facts, written opinions, and open precedents in certain circumstances; expanding judicial review of actions of agencies and officials.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Engler, Mrs. Knaak and Mr. Davies introduced—

S. F. No. 124: A bill for an act relating to taxation; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Willet introduced—

S. F. No. 125: A bill for an act relating to the state building code; restricting state-wide application of its provisions; amending Minnesota Statutes 1978, Sections 16.851, Subdivisions 1 and 2; 16.861, Subdivision 1; and 16.866, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.

Referred to the Committee on Energy and Housing.

Mr. Moe introduced—

S. F. No. 126: A bill for an act relating to the city of Crookston; contributions and benefits for members of the Crookston fire department relief association; amending Laws 1971, Chapter 51, Sections 10, Subdivision 3; and 14, Subdivisions 1, 4, 5, 6, 7, 9, and 11.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Anderson and Sillers introduced—

S. F. No. 127: A bill for an act relating to education; requiring the commissioner of education to study and report on academic competency in certain public schools; appropriating money.

Referred to the Committee on Education.

Messrs. Sieloff, Frederick, Sillers and Hughes introduced—

S. F. No. 128: A bill for an act relating to taxation; providing homemaker credit to persons earning income by providing day care services; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

Referred to the Committee on Taxes and Tax Laws.

Mr. Luther introduced—

S. F. No. 129: A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3 to provide for congressional and legislative apportionments by a commission; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; appropriating money; imposing a penalty; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Referred to the Committee on Elections.

REPORTS OF COMMITTEES

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 63: A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 67: A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 68: A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

Reports the same back with the recommendation that the bill do pass. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 63, 67 and 68 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Benedict moved that the names of Messrs. Strand and Vega be added as co-authors to S. F. No. 49. The motion prevailed.

Mr. Lewis moved that the name of Mr. Nelson be added as co-author to S. F. No. 84. The motion prevailed.

Mr. Sillers moved that the name of Mr. Olhoft be added as co-author to S. F. No. 86. The motion prevailed.

ANNOUNCEMENT TO THE SENATE

Mr. Coleman offered the following and asked that it be printed in the Journal.

The income accounts of Coleman/Goff, Inc. are:

Blue Shield of California

ITT Industrial Credit Company

Northwestern National Bank of Saint Paul

Northwest Bancorporation

Leamington Hotel

Kate-Lo Minnesota

Advo Systems, Inc.

St. Paul-Ramsey Medical Education and Research Foundation

Saint Paul-Ramsey Medical Center

National Association of Electrical Contractors, St. Paul Chapter

Western States Life Ins. Co.

Mr. Coleman moved that the foregoing announcement be printed in the Journal. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman offered the following and asked that it be printed 6:30 o'clock p.m., Monday, January 15, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate