

## TENTH DAY

St. Paul, Minnesota, Thursday, January 25, 1979

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

## CALL OF THE SENATE

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

Ashbach	Gunderson	Lessard	Peterson	Spear
Bang	Hanson	Lewis	Pillsbury	Staples
Benedict	Hughes	Luther	Purfeerst	Stokowski
Bernhagen	Humphrey	McCutcheon	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schmitz	Ueland, A.
Coleman	Keefe, J.	Moe	Schrom	Ulland, J.
Davies	Keefe, S.	Nelson	Setzpfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Willet
Dunn	Kleinbaum	Olson	Sikorski	
Engler	Knoll	Penny	Sillers	
Gearty	Laufenburger	Perpich	Solon	

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

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

The President declared a quorum present.

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

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Merriam introduced—

S. F. No. 241: A bill for an act relating to education; increasing eligibility for foundation aid for declining pupil units by permitting a school district with a current increase in pupil units to qualify according to a formula; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Merriam and Stumpf introduced—

S. F. No. 242: A bill for an act relating to waters; authorizing grants for feasibility studies for lake improvement projects; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Merriam introduced—

S. F. No. 243: A bill for an act relating to education; abolishing the AFDC aid account in school district records; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Sieloff, Ogdahl, Stumpf, Chenoweth and Dieterich introduced—

S. F. No. 244: A bill for an act relating to retirement; granting increases in annuities to certain deferred annuitants; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Rued, Schrom, Sillers and Willet introduced—

S. F. No. 245: A bill for an act relating to regional development; providing a procedure for county withdrawal from development regions; amending Minnesota Statutes 1978, Chapter 462, by adding a section.

Referred to the Committee on Local Government.

Mr. Schrom introduced—

S. F. No. 246: A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schrom introduced—

S. F. No. 247: A bill for an act relating to courts; providing statewide jurisdiction for conciliation courts; providing statewide jurisdiction for the municipal courts of Hennepin and Ramsey counties; providing that venue for an action in conciliation court may lie in the county where the plaintiff resides; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1; 488A.01, Subdivision 8; 488A.12, Subdivision 3; 488A.18, Subdivisions 4 and 9; 488A.29, Subdivision 3; and 542.09.

Referred to the Committee on Judiciary.

Mr. Nelson introduced—

S. F. No. 248: A bill for an act relating to education; increasing the percentage the state will pay of the cost of transporting handicapped pupils between school districts for certain purposes; eliminating the \$100 a pupil limit; striking a reference to an expired subdivision; amending Minnesota Statutes 1978, Section 124.222, Subdivision 2b.

Referred to the Committee on Education.

Messrs. Ashbach, McCutcheon, Mrs. Knaak, Messrs. Laufenburger and Rued introduced—

S. F. No. 249: A bill for an act relating to taxation; motor vehicle excise tax; exempting certain transfers from an individual to himself and another as joint tenants; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Mr. Davies introduced—

S. F. No. 250: A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain court reporters.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 251: A bill for an act relating to cooperative associations; requiring the articles of incorporation or the bylaws of a newly formed association to specifically authorize the election of directors by mail votes; amending Minnesota Statutes 1978, Section 308.071.

Referred to the Committee on Judiciary.

Messrs. Sieloff, McCutcheon and Frederick introduced—

S. F. No. 252: A bill for an act relating to taxation; providing that trust or estate income from out-of-state property be taxable to beneficiary when distributed; amending Minnesota Statutes 1978, Section 290.23, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Luther, Gearty, Bernhagen and Frederick introduced—

S. F. No. 253: A bill for an act relating to taxation; income; adopting 1978 federal amendments increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Sillers, Laufenburger, Tennessen and Ashbach introduced—

S. F. No. 254: A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Laufenburger, Frederick, Dunn and Tennessen introduced—

S. F. No. 255: A bill for an act relating to credit unions; allowing membership by spouses of relatives of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.

Referred to the Committee on Commerce.

Mr. Knutson introduced—

S. F. No. 256: A bill for an act relating to the city of Mendota Heights; authorizing an increase in firefighters' service pensions; amending Laws 1973, Chapter 173, Section 1, Subdivisions 1 and 2.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Nichols, Benedict and Bernhagen introduced—

S. F. No. 257: A bill for an act relating to crimes; prohibiting tattooing intoxicated persons; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Mr. Benedict introduced—

S. F. No. 258: A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1978, Section 144A.17.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Nelson introduced—

S. F. No. 259: A bill for an act relating to health; changing requirements for school employee tuberculosis examinations;

amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

Referred to the Committee on Education. Mr. Perpich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kleinbaum, Chmielewski, Schrom, Bang and Sillers introduced—

S. F. No. 260: A bill for an act relating to taxation; income tax; providing additional credits for blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

Referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 261: A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Sikorski, Mrs. Brataas, Messrs. Bang and Anderson introduced—

S. F. No. 262: A bill for an act relating to mobile homes; requiring mobile homes to be secured to the ground; providing penalties; amending Minnesota Statutes 1978, Section 327.32, by adding a subdivision; and 327.34, Subdivision 4.

Referred to the Committee on Energy and Housing.

Messrs. Purfeerst, Laufenburger, Chenoweth, Rued and Lessard introduced—

S. F. No. 263: A bill for an act relating to transportation; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to certain procedures; establishing variance committees and prescribing their duties; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, by adding a subdivision; 162.13, Subdivision 2; and Chapter 162, by adding sections.

Referred to the Committee on Transportation.

Messrs. Hughes, Humphrey, Menning, Mrs. Brataas and Mr. Rued introduced—

S. F. No. 264: A bill for an act relating to families; establishing a council on children and families; prescribing membership procedures and functions of the council; transferring personnel and

functions from the governor's task force on the family; appropriating money.

Referred to the Committee on Education.

Messrs. Spear; Keefe, S.; Laufenburger and Mrs. Staples introduced—

S. F. No. 265: A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 423.076; 473.419; and Chapter 181, by adding a section.

Referred to the Committee on Employment.

Messrs. Spear, Tennessen, Lewis, Sikorski and Mrs. Brataas introduced—

S. F. No. 266: A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Menning introduced—

S. F. No. 267: A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.

Referred to the Committee on Commerce.

Messrs. Sieloff, Sillers, Olhoft and Menning introduced—

S. F. No. 268: A bill for an act relating to taxation; income; including all income and losses in the gross income of Minnesota residents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey, Stokowski and Ogdahl introduced—

S. F. No. 269: A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.

Referred to the Committee on Governmental Operations.

Messrs. Schrom, Dunn, Bernhagen, Wegener and Willet introduced—

S. F. No. 270: A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

Referred to the Committee on Commerce.

Mr. Peterson introduced—

S. F. No. 271: A bill for an act relating to taxation; property tax; establishing a system for exemption from tax and levying an alternative tax on certain industrial rehabilitation and new industrial development projects; amending Minnesota Statutes 1978, Chapter 273, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson introduced—

S. F. No. 272: A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wetlands credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Peterson introduced—

S. F. No. 273: A bill for an act relating to commerce; providing a floating usury rate for contracts for deeds; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Kirchner, Hughes and Coleman introduced—

S. F. No. 274: A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1978, Section 169.685, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Peterson introduced—

S. F. No. 275: A bill for an act relating to taxation; income tax; clarifying non-taxable status of certain federal earned income

credits; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.18, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Nichols, Vega, Strand and Sillers introduced—

S. F. No. 276: A bill for an act relating to workers' compensation; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

Referred to the Committee on Employment.

Messrs. Peterson and Nichols introduced—

S. F. No. 277: A bill for an act relating to taxation; property; providing for the reduction of property taxes by the maximum credit allowable under Minnesota Statutes, Section 290A.04 and recapture of credit on income tax returns of taxpayers with incomes over \$20,000; amending Minnesota Statutes 1978, Section 290A.04, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 290A.04, Subdivisions 2a and 2b.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 278: A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

Referred to the Committee on Elections.

Mr. Chmielewski introduced—

S. F. No. 279: A resolution concerning the budget of the United States; memorializing Congress to call a constitutional convention to propose an amendment to the Constitution to require, with certain exceptions, that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year.

Referred to the Committee on Rules and Administration.

Mr. Chmielewski introduced—

S. F. No. 280: A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

Referred to the Committee on Local Government.



Messrs. Sieloff, Engler, Rued and Chmielewski introduced—

S. F. No. 281: A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06, Subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Chmielewski, Sieloff, Bernhagen and Laufenburger introduced—

S. F. No. 282: A bill for an act relating to taxation; exempting certain payments to deceased military personnel from the inheritance tax; appropriating money; amending Minnesota Statutes 1978, Section 291.05.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 283: A bill for an act relating to the military; providing payments to certain government employees while on military leave; amending Minnesota Statutes 1978, Section 192.26, Subdivision 1.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Keefe, S.; Davies; Spear; Stokowski and Laufenburger introduced—

S. F. No. 284: A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 18.

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

Messrs. Laufenburger, Solon, Ashbach, Coleman and Mrs. Bratvaas introduced—

S. F. No. 285: A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S. F. No. 286: A bill for an act relating to ethics in government; requiring lobbyists to disclose compensation paid them for lob-

bying purposes; amending Minnesota Statutes 1978, Section 10A.04, Subdivision 4.

Referred to the Committee on Elections.

#### **EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communication was received and referred to the committee indicated.

January 19, 1979

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

The following appointment as Chairperson of the Water Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas Kalitowski, 2230 Spruce Trail, Golden Valley, Hennepin County, has been appointed by me, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

Sincerely,

Albert H. Quie, Governor

#### **REPORTS OF COMMITTEES**

Mr. Chenoweth from the Committee on Governmental Operations, to which were referred the following appointments as reported in the Journal for January 8, 1979:

##### **MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION**

Mary B. Swanger

##### **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

Dr. Thomas G. Reichert

##### **STATE DESIGNER SELECTION BOARD**

Russell Mroczek

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Chenoweth moved that the foregoing committee report be laid on the table. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Messrs. Hughes; Dunn; Keefe, S.; Sikorski and Mrs. Staples introduced—

Senate Concurrent Resolution No. 4: A senate concurrent resolution recognizing the importance of children to the future of the State of Minnesota, and expressing support for the work of the United Nations and other agencies during 1979, the International Year of the Child.

Referred to the Committee on Rules and Administration.

Mr. Dieterich moved that the name of Mr. Sillers be stricken as co-author to S. F. No. 7. The motion prevailed.

Mr. Davies moved that the name of Mr. Luther be added as co-author to S. F. No. 172. The motion prevailed.

Mr. Strand moved that the name of Mr. Gunderson be added as co-author to S. F. No. 220. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Olhoft be added as co-author to S. F. No. 229. The motion prevailed.

Mr. Nichols moved that the names of Messrs. Strand and Chmielewski be added as co-authors to S. F. No. 234. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 239. The motion prevailed.

Mr. Merriam moved that the name of Mr. Frederick be added as co-author to S. F. No. 240. The motion prevailed.

**CONFIRMATION**

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported January 18, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported January 18, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

**CRIME CONTROL PLANNING BOARD**

Samuel O. Verdeja, 273 East Winifred, St. Paul, Ramsey County, effective October 10, 1978, for a term expiring January 5, 1981.

**CORRECTIONS BOARD**

Richard Alstad, 4700 Virginia Lane, Edina, Hennepin County, effective January 1, 1978, for a term expiring the first Monday in January, 1984.

**GILLETTE HOSPITAL BOARD**

Dr. Richard J. Aadelen, 4924 Dale Drive, Edina, Hennepin County, effective November 1, 1978, for a term expiring the first Monday in January, 1983.

Florence Gray, 1401 West Minnehaha Parkway, Minneapolis, Hennepin County, effective November 1, 1978, for a term expiring January 3, 1983.

Richard E. Harris, 1291 Bohland Place, St. Paul, Ramsey County, effective November 1, 1978, for a term expiring January 3, 1983.

Geoffrey L. Kaufmann, 6405 McCauley Circle, Edina, Hennepin County, effective November 1, 1978, for a term expiring January 5, 1981.

The motion prevailed. So the appointments were confirmed.

**GENERAL ORDERS**

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 63, 67 and 118 which the committee recommends to pass.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

**MEMBERS EXCUSED**

Mr. Wegener was excused from the Session of today.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 2:00 o'clock p.m., Monday, January 29, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate