

FIFTH DAY

St. Paul, Minnesota, Thursday, January 15, 1981

The Senate met at 11:30 a.m. and was called to order by the President.

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

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

The President declared a quorum present.

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

MOTIONS AND RESOLUTIONS

Mr. Purfeerst moved that S. F. No. 33 be withdrawn from the Committee on Local Government and Urban Affairs and re-referred to the Committee on Transportation. The motion prevailed.

Mr. Menning moved that the name of Mr. Belanger be added as co-author to S. F. No. 4. The motion prevailed.

Mr. Nichols moved that the name of Mr. Renneke be added as co-author to S. F. No. 9. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Bertram be added as co-author to S. F. No. 24. The motion prevailed.

Mr. Setzepfandt moved that the name of Mr. Benson be added as co-author to S. F. No. 30. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Nelson, Penny and Solon be added as co-authors to S. F. No. 32. The motion prevailed.

Mr. Nichols moved that the name of Mr. Pehler be added as co-author to S. F. No. 50. The motion prevailed.

Mr. Davies moved that the name of Mr. Merriam be added as co-author to S. F. No. 13. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

MOTIONS AND RESOLUTIONS - CONTINUED

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 Reports of Committees. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. from the Committee on Rules and Administration, makes the following report: That the temporary rules of the Senate appearing in the Journal for the first day be amended as follows:

Rule 62. In the "Legislative Assistant II" classification under "Salary Per Day" delete "3" before "@ \$42.19" and insert "1" Before "2 @ \$53.74" insert "1 @ \$43.84" and "1 @ \$45.21"

In the "Researcher" classification under "Salary Per Day" delete "3" before "@ \$45.21" and insert "4"

In the "Secretary" classification under "Salary Per Day" delete "8" before "@ \$41.18" and insert "7" and delete "6" before "@ \$45.94" and insert "7"

Mr. Moe, R.D. moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved to amend temporary rule 62 in accordance with the Committee Report adopted today.

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

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

The motion prevailed. So temporary rule 62 was amended.

Mr. Moe, R.D., for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed:

David Erickson, Researcher classification, effective January 14, 1981

Leslie Swanson, Researcher classification, effective January 14, 1981

Lois Wattman, Legislative Assistant classification, effective January 12, 1981

Roberta Pettit, Clerk Typist II classification, effective January 12, 1981

Barbara Martin, transferred from Steno II classification to Secretary classification, effective January 15, 1981

Rev. Frank J. Decowski, Chaplain, effective January 8, 1981

Rev. Neal E. Lloyd, Chaplain, effective January 12, 1981

Rev. Joseph Simonson, Chaplain, effective January 19, 1981

Rev. Raymond Monsour, Chaplain, effective January 22, 1981

Audrey Pohl, Clerk Typist II classification, effective January 19, 1981

Jonathan Leach, Committee Clerk classification, effective January 12, 1981

Cheryl Richter, Committee Secretary classification, effective January 6, 1981

Joan Pedersen, Steno I classification, effective January 16, 1981

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

Mr. Moe, R.D. introduced—

Senate Resolution No. 12: A Senate resolution relating to the attendance of members of standing committees at meetings and seminars; providing for the payment of expenses thereby incurred.

BE IT RESOLVED, by the Senate:

Members of a standing committee or subcommittee of the Senate, and employees thereof, upon approval of the Committee on Rules and Administration, or the chairman thereof, may attend meetings and seminars, including but not limited to meetings of the National Conference of State Legislatures and the Council of State Governments and their committees, on subjects within the jurisdiction of the standing committee or subcommittee.

Expenses incurred in attending these meetings and seminars shall be paid by the Secretary of the Senate with warrants drawn on the Senate legislative expense fund.

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:

Ashbach	Dieterich	Langseth	Peterson, C.C.	Sieloff
Belanger	Engler	Lantry	Peterson, D.L.	Sikorski
Benson	Frederickson	Lindgren	Peterson, R.W.	Solon
Berg	Hanson	Luther	Petty	Spear
Berglin	Humphrey	Merriam	Pillsbury	Stokowski
Bernhagen	Johnson	Moe, D.M.	Purfeerst	Stumpf
Bertram	Keefe	Moe, R.D.	Ramstad	Taylor
Dahl	Knoll	Nelson	Renneke	Tennessee
Davies	Knutson	Olhoft	Rued	Vega
Davis	Kroening	Pehler	Schmitz	Waldorf
Dicklich	Kronebusch	Penny	Setzepfandt	

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced —

Senate Resolution No. 13: A Senate resolution relating to expenses of interns.

BE IT RESOLVED, by the Senate:

For the 1981 session of the 72nd Legislature, each member of the Senate may be reimbursed for the cost of meals and transportation furnished by the member to any volunteer interns assisting with the member's work, up to a maximum of \$35 during each week the Legislature is in session.

Requests for reimbursement shall be submitted to the Secretary of the Senate monthly on forms provided for this purpose and shall include a certification by the member that the amounts for which reimbursement is sought have been paid to the interns.

The Secretary of the Senate shall prepare and issue warrants for payment of intern expenses from the Senate legislative expense fund.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Knutson and Taylor voted in the negative.

The motion prevailed. So the resolution was adopted.

Mr. Moe, D.M. and Ms. Berglin introduced —

Senate Resolution No. 14: A Senate resolution eulogizing Dr. Martin Luther King on the fifty-second anniversary of his birth.

WHEREAS, Dr. Martin Luther King, minister and humanitarian, dedicated his life to the pursuit of brotherhood, peace and justice for all women and men; and

WHEREAS, Dr. King while challenging discrimination remained devoted in principle and practice to the philosophy of non-violence; and

WHEREAS, Dr. King through his own dedication and eloquence was able to kindle the spirit of brotherhood in women and men of all races and creeds; and

WHEREAS, Dr. King gave the ultimate personal sacrifice for the cause of human rights; and

WHEREAS, the legacy and memory of Dr. King will continue to inspire good men everywhere to continue the struggle for human rights and justice; and

WHEREAS, today, Thursday, January 15, 1981, marks the fifty-second

anniversary of the birth of Dr. King; now, therefore;

BE IT RESOLVED, by the Senate of the State of Minnesota, that recognition and tribute be given to Dr. Martin Luther King on this, the fifty-second anniversary of his birth.

BE IT FURTHER RESOLVED, that the Secretary of the Senate of the State of Minnesota transmit a formal copy of this resolution to his wife, Mrs. Coretta King.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Pehler, Davis and Dicklich introduced—

S. F. No. 51: A bill for an act relating to workers' compensation; defining family farm corporation; reenacting Laws 1980, Chapter 556; amending Minnesota Statutes 1980, Section 176.011, Subdivision 11a.

Referred to the Committee on Employment.

Messrs. Frank and Spear introduced—

S. F. No. 52: A bill for an act relating to elections; fair campaign practices; providing a penalty for denial of access to certain dwellings; amending Minnesota Statutes 1980, Section 210A.43, Subdivision 4.

Referred to the Committee on Elections and Reapportionment.

Messrs. Purfeerst and Engler introduced—

S. F. No. 53: A bill for an act relating to local government; permitting the city of Northfield to make payments to the town of Waterford as a condition of an annexation.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Dicklich and Johnson introduced—

S. F. No. 54: A bill for an act relating to recreation; extending protection from liability for recreational use of land to the state, governmental units and nonprofit corporations; amending Minnesota Statutes 1980, Sections 87.01; and 87.021, Subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Frederickson, Chmielewski, Dicklich and Johnson introduced—

S. F. No. 55: A bill for an act relating to elections; providing for voter registration cards to be supplied by the secretary of state; appropriating money; amending Minnesota Statutes 1980, Section 201.071, by adding a subdivision.

Referred to the Committee on Elections and Reapportionment.

Messrs. Dicklich and Johnson introduced—

S. F. No. 56: A bill for an act relating to insurance; broadening the scope of mandated group accident and health coverage for ambulatory mental health services; amending Minnesota Statutes 1980, Section 62A.152.

Referred to the Committee on Commerce.

Messrs. Spear, Sikorski, Johnson and Dicklich introduced—

S. F. No. 57: A bill for an act relating to public utilities; repealing authority for rate increases pending final commission approval; repealing Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

Referred to the Committee on Commerce.

Mr. Wegener introduced—

S. F. No. 58: A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees retirement association by a certain county commissioner.

Referred to the Committee on Public Employees and Pensions.

Messrs. Dicklich, Johnson and Lessard introduced—

S. F. No. 59: A bill for an act relating to public lands; requiring approval of state land acquisitions by local authorities in certain counties; proposing new law coded in Minnesota Statutes, Chapter 15.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Waldorf, Merriam, Sieloff, Bertram and Lindgren introduced—

S. F. No. 60: A bill for an act relating to crimes; providing that whoever causes the death of a human being when committing certain crimes is guilty of murder in the first degree; amending Minnesota Statutes 1980, Sections 609.185 and 609.195.

Referred to the Committee on Judiciary.

Messrs. Frank and Nichols introduced—

S. F. No. 61: A bill for an act relating to workers' compensation; requiring notification to employers of rate increases; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 79.

Referred to the Committee on Employment.

Mr. Hanson introduced—

S. F. No. 62: A bill for an act relating to retirement; police survivor benefits in the city of Thief River Falls.

Referred to the Committee on Public Employees and Pensions.

Mr. Stumpf introduced—

S. F. No. 63: A bill for an act relating to retirement; specifying eligibility for early retirement health and welfare insurance coverage for certain employees of the city of St. Paul.

Referred to the Committee on Public Employees and Pensions.

Messrs. Davies, Johnson, Spear, Bernhagen and Ashbach introduced—

S. F. No. 64: A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; increasing the weekly maximums for certain first-party benefits; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for payment of certain benefits; increasing residual liability benefits; increasing certain uninsured benefits; establishing tort threshold limitations on uninsured motorist coverage; prohibiting short-term policies; providing mandatory underinsured motorist coverage; amending Minnesota Statutes 1980, Sections 65B.44, Subdivisions 1, 3, 6, and 7; 65B.47, Subdivision 2, and by adding subdivisions; and 65B.49, Subdivisions 3 and 4, and by adding subdivisions.

Referred to the Committee on Commerce.

Messrs. Davies, Spear and Keefe introduced—

S. F. No. 65: A bill for an act relating to the attorney general; providing that the attorney general shall render bond counsel services to state agencies and political subdivisions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 8.

Referred to the Committee on Judiciary.

Messrs. Davies, Johnson, Spear and Keefe introduced—

S. F. No. 66: A bill for an act relating to commerce; expanding the definition of a "sale of goods" as it applies to consumer credit sales to include certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1980, Sections 325G.15, Subdivision 5; and 325G.16, by adding subdivisions.

Referred to the Committee on Commerce.

Messrs. Davies, Renneke, Hanson and Stumpf introduced—

S. F. No. 67: A bill for an act relating to elections; prohibiting certain uses of campaign funds; providing a civil penalty; providing that compensation for personal services rendered to influence election of a candidate is not a prohibited expenditure; amending Minnesota Statutes 1980, Section 210A.19, Subdivision 1; and proposing new law coded in Minnesota Statutes, Chapter 210A.

Referred to the Committee on Elections and Reapportionment.

Messrs. Davies, Kroening, Hanson, Ulland and Pillsbury introduced—

S. F. No. 68: A bill for an act relating to correction and improvement of state laws; establishing a Minnesota law revision council; prescribing its duties and functions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Sieloff and Tennesen introduced—

S. F. No. 69: A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; proposing new law coded in Minnesota Statutes 1980, Chapter 645.

Referred to the Committee on Judiciary.

Messrs. Davies; Spear; Peterson, R.W.; Hanson and Sieloff introduced—

S. F. No. 70: A bill for an act relating to evidence; limiting the legislative history admissible to determine legislative intent; declaring testimony of certain individuals and certain kinds of records of legislative proceedings to be not relevant evidence of legislative intent; amending Minnesota Statutes 1980, Section 645.16; proposing new law coded in Minnesota Statutes, Chapter 599.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Hanson and Peterson, R.W. introduced—

S. F. No. 71: A bill for an act relating to civil actions; providing a system for periodic payments of certain judgments; proposing new law coded in Minnesota Statutes, Chapter 548.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 72: A bill for an act relating to elections; providing a penalty for broadcasting certain false information; amending Minnesota Statutes 1980, Section 210A.04, Subdivision 1.

Referred to the Committee on Elections and Reapportionment.

Messrs. Wegener; Hanson; Peterson, C.C.; Davies and Bernhagen introduced—

S. F. No. 73: A bill for an act relating to commerce; limiting projects for municipal industrial development; repealing Minnesota Statutes 1980, Section 474.02, Subdivisions 1a and 1b.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Chmielewski introduced—

S. F. No. 74: A bill for an act relating to trade regulations; prescribing a penalty for the sale of imitation Indian-made goods without a brand; amending Minnesota Statutes 1980, Section 325F.46.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Peterson, D.L.; Sieloff and Berg introduced—

S. F. No. 75: A bill for an act relating to taxation; income tax; abolishing the non-game wildlife checkoff; repealing Minnesota Statutes 1980, Section 290.431.

Referred to the Committee on Taxes and Tax Law.

Mr. Moe, R.D. introduced—

S. F. No. 76: A bill for an act relating to cities; increasing the amount of obligations that may be issued for television systems; validating prior issuances; amending Minnesota Statutes 1980, Section 465.70.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Davies, Sieloff and Peterson; R.W. introduced—

S. F. No. 77: A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1980, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, January 19, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate