

SEVENTH DAY

St. Paul, Minnesota, Thursday, January 22, 1981

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

Prayer was offered by the Chaplain, Rev. Winfield V. Johnson.

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

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

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. Hanson, Knoll, Knutson, Merriam and Stern were excused from the Session of today.

REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1980 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Minneapolis Teachers' Retirement Fund Association, Seventieth Annual Report of the Board of Trustees, 1979; Northwest Regional Development Commission, Annual Report, 1979; Metropolitan Sports Facilities Commission, Small Business Procurement; Department of Education, Results of Pre-School Health Screening Programs; Minnesota Humanities Commission, Annual Report, 1980; Minnesota Pollution Control Agency, Division of Water Quality, Citizens' Guide to Minnesota's Water Quality Management Plan, 1980; Supreme Court, Report on Use of Para-Judicial Personnel in the

Minnesota Courts, 1980; Department of Public Welfare, Final Annual Services Program Plan, Oct. 1, 1980 to Sept. 30, 1981; Minnesota Board of Teaching, July 1, 1978 to June 30, 1980; Minnesota Board of Private Detective and Protective Agent Services, July 1, 1978 to June 30, 1980; Minnesota Board of Examiners for Nursing Home Administrators, July 1, 1978 to June 30, 1980; Minnesota Board of Pharmacy, July 1, 1978 to June 30, 1980; Minnesota Board of Chiropractic Examiners, July 1, 1978 to June 30, 1980; Minnesota Board of Nursing, July 1, 1978 to June 30, 1980; Minnesota Board of Dentistry, July 1, 1978 to June 30, 1980; Minnesota Board of Architecture, Engineering, Land Surveying and Landscape Architecture, July 1, 1978 to June 30, 1980; Minnesota Board of Peace Officer Standards and Training, July 1, 1978 to June 30, 1980; Minnesota Board of Electricity, July 1, 1978 to June 30, 1980; Minnesota Board of Veterinary Medicine, July 1, 1978 to June 30, 1980; Minnesota Board of Watchmakers, July 1, 1978 to June 30, 1980; Minnesota Board of Cosmetology, July 1, 1978 to June 30, 1980; Minnesota Board of Barber Examiners, July 1, 1978 to June 30, 1980; Minnesota Board of Podiatry, July 1, 1978 to June 30, 1980; Minnesota Board of Advisory Committee of Examiners in Mortuary Science, July 1, 1978 to June 30, 1980; Minnesota Board of Environmental Health Specialist/Sanitarian Advisory Council, July 1, 1978 to June 30, 1980; Minnesota Board of Advisory Council to the Hospital Administrator Registration Program, July 1, 1978 to June 30, 1980; Minnesota Board of Psychology, July 1, 1978 to June 30, 1980; Minnesota Board of Assessors, July 1, 1978 to June 30, 1980; University of Minnesota, Annual Report on the Small Business Procurement Act, 1979-80; Department of Administration, Commuter Van Program, Semi-Annual Report, 1980; Northwestern Regional Development Commission, Northwestern Arts Council Work Plan, 1981; Department of Transportation, Annual Small Business Report, 1980; Department of Administration, Annual Report on the Small Business Procurement Act, 1980; Humane Society, Biennial Report, July 1, 1978 to June 30, 1980; Indian Affairs Intertribal Board, 1980; State Board of Investment, Annual Report, 1980; Department of Labor and Industry, Biennial Report, 1978-80; Department of Education, Multi-county Multi-type Library Cooperation Program, 1980; Legislative Commission on Minnesota Resources, 1980; Department of Agriculture, Shade Tree Disease Report, 1980; Department of Transportation, Biennial Report, 1980; Department of Health, Report on the Maternal and Child Nutrition Act of 1975, 1980; Department of Labor and Industry, Advisory Council on Workers' Compensation, 1980; Department of Revenue, Real Estate Assessment/Sales Ratio Study, 1979; Legislative Commission on Pensions and Retirement, 1979-80; Revisor of Statutes, Certain Opinions of the Supreme Court, 1980; Department of Health, Division of Manpower, Summary of Health Related Regulatory Boards' Reports, 1979-80 Biennium; Pollution Control Agency, Biennial Report, 1980; Department of Transportation, Rail Users Loan Guarantee Program, 1980; Department of Agriculture, Weather Modification Activities, 1980; Department of Corrections, Biennial Report, 1979-80; State Board of Investment, Advisability of Investing Increased Portions of Funds in Ways Beneficial to All Minnesotans, 1980; Department of Public Safety, Bureau of Criminal Apprehension, 1980; Supreme Court, Report on Business Transacted in the Courts; University of Minnesota, Long-Range Plans for Expansion of Facilities.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

July 1, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Workers' Compensation Court of Appeals is hereby respectfully submitted to the Senate for confirmation as required by law:

Raymond O. Adel, 2801 Nash Road, Brooklyn Center, Hennepin County, has been appointed by me, effective July 1, 1980, for a term expiring July 1, 1986.

(Referred to the Committee on Employment.)

October 1, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board for Community Colleges is hereby respectfully submitted to the Senate for confirmation as required by law:

Sung Won Son, 2380 Cavell Avenue North, Golden Valley, Hennepin County, has been appointed by me, effective October 1, 1980, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

October 1, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State University Board is hereby respectfully submitted to the Senate for confirmation as required by law:

John W. Borg, 5509 Columbus Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective October 1, 1980, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

October 8, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Soil and Water Conservation Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Wayne C. Haglin, Route 2, Staples, Wadena County, has been appointed by me, effective October 8, 1980, for a term expiring the first Monday in January, 1982.

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

May 22, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Economic Development is hereby respectfully submitted to the Senate for confirmation as required by law:

Kent E. Eklund, 1520 Grantham, St. Paul, Ramsey County, has been appointed by me, effective May 19, 1980, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

November 25, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Cable Communications Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Martin J. Pinkney, 419 15th Street North, Moorhead, Clay County, has been appointed by me, effective November 25, 1980, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Commerce.)

April 7, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Judge Sidney P. Abramson, 1690 Bohland Avenue, St. Paul, Ramsey County, has been appointed by me, effective April 7, 1980, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Health, Welfare and Corrections.)

Sincerely yours,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

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

Mr. Wegener from the Committee on Local Government and Urban Affairs, to which was referred

S. F. No. 7: A bill for an act relating to Traverse County; permitting the

issuance of bonds by the county to provide funds for the construction, alteration, repair, and improvement of necessary buildings for county fair purposes, and to aid county agricultural societies to defray related financial obligations; providing for payment of the obligations.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 26, before the semicolon, insert "*except as provided in paragraph (5) of this section*"

Page 1, delete line 27

Page 2, delete lines 6 through 12 and insert:

"(3) The principal amount of the bonds shall not exceed \$100,000;"

Page 2, line 15, delete the period and insert "*; and*"

Page 2, after line 15, insert:

"(5) The county board, prior to the issuance of any bonds authorized by section 1 and after adopting the resolution provided by paragraph (2), shall adopt a resolution by majority vote of the county board stating the amount, purpose and, in general, the security to be provided for the bonds, and shall publish the resolution once each week for two consecutive weeks in the medium of official and legal publication of the county. The bonds may be issued without the submission of the question of their issuance to the voters of the county unless within 21 days after the second publication of the resolution a petition requesting a referendum signed by at least ten percent of the registered voters of the county is filed with the county auditor. If a petition is filed, no bonds shall be issued unless approved by a majority of the voters of the county voting on the question of their issuance at a regular or special election."

Renumber the paragraphs in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Finance, to which was re-referred

S. F. No. 1: A bill for an act relating to education; restoring education aids withheld in fiscal year 1981; providing for full payment of education aids in future years; repealing certain provisions relating to pro rata payment of education aids and reimbursements and certificates for the unpaid amounts; appropriating money; amending Minnesota Statutes 1980, Section 16A.15, Subdivision 1; repealing Minnesota Statutes 1980, Sections 124.77 and 124.78.

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. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, lines 20 and 25, strike "such" and insert "the"

Page 4, line 24, strike "such"

Page 5, lines 10 and 27, strike "such"

Page 5, line 15, strike "such" and insert "the"

Page 6, line 7, strike "such" and insert "the"

Page 6, line 8, delete "such"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S. F. No. 23: A bill for an act relating to the recording of decrees and certificates in bankruptcy proceedings; providing for the admissibility of certificates as evidence; amending Minnesota Statutes 1980, Section 386.45.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, delete "the filing of a"

Page 1, delete lines 23 and 24

Page 1, line 25, delete "entry of orders or to the confirmation of plans" and insert "any matter involving the status of or disposition of the proceedings or pleadings, property of the estate or property of the debtor or documents or orders filed in the proceeding"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S. F. No. 17: A bill for an act relating to witnesses; exempting parents and minors from testifying with respect to confidential communications made by the minor to parent; amending Minnesota Statutes 1980, Section 595.02.

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

Mr. Moe, R.D. from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 50, 12, 13 and 16, makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 7, 1, 77, 23 and 17 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Sikorski introduced—

Senate Resolution No. 16: A Senate resolution recognizing Viola H.

Russell's outstanding service during her ten years as Executive Director of the Community Volunteer Service of the St. Croix Valley.

Referred to the Committee on Rules and Administration.

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.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Moe, R.D. from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1, 7, 17, 23 and 77, makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Keefe, Sikorski, Ramstad and Mrs. Kronebusch introduced—

S. F. No. 95: A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1980, Section 435.193.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Setzepfandt introduced—

S. F. No. 96: A bill for an act relating to state property; providing for the conveyance to Kandiyohi County of a residence building in Sibley state park.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegener introduced—

S. F. No. 97: A bill for an act relating to agriculture; changing Todd County from area one to area four for the purposes of potato promotion; amending Minnesota Statutes 1980, Section 30.464, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegener, Bernhagen, Nichols, Chmielewski and Menning introduced—

S. F. No. 98: A bill for an act relating to local government; providing

conditions for the annexation of town territory to municipalities; providing for the membership of the municipal board; amending Minnesota Statutes 1980, Sections 414.01, Subdivision 2; and 414.031, Subdivision 4.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Nelson, Stumpf, Hanson and Moe, R.D. introduced—

S. F. No. 99: A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 201.061, Subdivisions 1 and 3; 202A.22, Subdivision 1; 203A.13; 203A.31, Subdivision 3; 203A.32, Subdivision 3; 203A.33, Subdivision 4; 204A.14; 204A.29; 204A.34, Subdivision 2; 204A.44, Subdivision 1; 204A.45, Subdivision 1; 204A.47, Subdivision 1; 204A.49, Subdivision 1; 206.03; 206.20, Subdivision 2; 207.08, Subdivision 2; 208.03; 208.05; and 210A.39; repealing Minnesota Statutes 1980, Section 201.18.

Referred to the Committee on Elections and Reapportionment.

Messrs. Merriam and Sieloff introduced—

S. F. No. 100: A bill for an act relating to taxation; providing a credit against the income tax for contributions to candidates for local elective office and removing restriction concerning campaign expenditure limitation agreements; amending Minnesota Statutes 1980, Section 290.06, Subdivision 11.

Referred to the Committee on Elections and Reapportionment.

Messrs. Davies, Petty, Spear and Keefe introduced—

S. F. No. 101: A bill for an act relating to health care; prohibiting health care providers from providing professional services unless there is in effect an insurance policy covering claims which may arise from the provision of the services; proposing new law coded in Minnesota Statutes, Chapter 144.

Referred to the Committee on Commerce.

Messrs. Pehler, Davis, Setzepfandt, Engler and Bernhagen introduced—

S. F. No. 102: A bill for an act relating to towns; providing for certain notice requirements; amending Minnesota Statutes 1980, Section 365.12.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Berg, Benson, Taylor and Chmielewski introduced—

S. F. No. 103: A bill for an act relating to taxation; real property; providing a method for determining the value of agricultural land; amending Minnesota Statutes 1980, Section 273.11, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knutson introduced—

S. F. No. 104: A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1980, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.403, Subdivi-

sion 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

Referred to the Committee on Judiciary.

Messrs. Pehler, Dicklich and Davis introduced—

S. F. No. 105: A bill for an act relating to state government; creating an office for promotion of efficiency and productivity in state government; protecting state employees disclosing certain information; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 15 and 43.

Referred to the Committee on Governmental Operations.

Messrs. Pehler and Davis introduced—

S. F. No. 106: A bill for an act relating to taxation; restricting the allowance of abortion expenses as a medical deduction for income tax purposes; amending Minnesota Statutes 1980, Section 290.09, Subdivision 10.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Pehler, Davis, Dicklich and Knoll introduced—

S. F. No. 107: A bill for an act relating to taxation; income tax; providing a credit for contributions to institutions of higher education; proposing new law coded in Minnesota Statutes, Chapter 290.

Referred to the Committee on Education.

Messrs. Dicklich and Johnson introduced—

S. F. No. 108: A bill for an act relating to public utilities; repealing authority of a public utility or telephone company to impose increased rates pending a final determination by the public utilities commission; repealing Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

Referred to the Committee on Commerce.

Messrs. Peterson, C. C. and Langseth introduced—

S. F. No. 109: A bill for an act relating to crimes; prohibiting assaulting a peace officer; prescribing penalties; amending Minnesota Statutes 1980, Section 609.224; proposing new law coded in Minnesota Statutes, Chapter 609.

Referred to the Committee on Judiciary.

Messrs. Olhoft, Bertram, Sikorski, Lessard and Knutson introduced—

S. F. No. 110: A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; requiring the organizations to notify enrollees if elective, induced abortions are added to or eliminated from coverage; amending Minnesota Statutes 1980, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; 62D.07, Subdivision 4; 62D.20; and 62D.22, Subdivision 5.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Davies, Keefe and Peterson, R. W. introduced—

S. F. No. 111: A bill for an act relating to civil actions; providing an action

for wrongful death and providing for the survival of other actions after death; enacting the uniform survival and death act; proposing new law coded in Minnesota Statutes, Chapter 573; repealing Minnesota Statutes 1980, Sections 573.01; and 573.02.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 112: A bill for an act relating to real estate; enacting the uniform land transactions act; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1980, Sections 507.32; 513.01; 541.01; 582.01; 582.03; proposing new law coded as Minnesota Statutes, Chapter 506; repealing Minnesota Statutes 1980, Sections 507.07; 507.16; 513.04; 513.05; 559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapter 580.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 113: A bill for an act relating to evidence; providing for audio-visual recording of evidence; enacting the Uniform Audio-Visual Deposition Act; proposing new law coded in Minnesota Statutes 1980, Chapter 600.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 114: A bill for an act relating to weights and measures; regulating and restricting conversion to the metric system of measurement; prescribing and limiting the powers and duties of public officers and agencies; enacting the uniform metric system procedure act; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 239; repealing Minnesota Statutes 1980, Sections 239.001; 239.002; 239.003; and 239.004.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Davies introduced—

S. F. No. 115: A bill for an act relating to crimes; extending the coverage of the bribery law to the offering of bribes to owners and employees of the news media and the accepting of bribes by such persons; providing penalties; amending Minnesota Statutes 1980, Section 609.42, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 116: A bill for an act relating to insurance; broadening the conversion privilege on group life insurance; amending Minnesota Statutes 1980, Section 61A.09, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Purfeerst introduced—

S. F. No. 117: A bill for an act relating to taxation; gasoline tax; increasing

the tax on gasoline; amending Minnesota Statutes 1980, Section 296.02, Subdivision 1.

Referred to the Committee on Transportation.

Mr. Waldorf introduced—

S. F. No. 118: A bill for an act relating to crimes; prohibiting the furnishing of tobacco related devices to minors; prohibiting minors from using tobacco related devices; prescribing penalties; amending Minnesota Statutes 1980, Section 609.685.

Referred to the Committee on Judiciary.

Messrs. Bertram, Luther, Spear, Nelson and Setzepfandt introduced—

S. F. No. 119: A bill for an act relating to elections; prohibiting announcement of certain election results before the polls are closed; proposing new law coded in Minnesota Statutes, Chapter 204A.

Referred to the Committee on Elections and Reapportionment.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, January 26, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate