

STATE OF MINNESOTA

# Journal of the Senate

SECOND SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Wednesday, July 1, 1981

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

CALL OF THE SENATE

Mr. Nelson imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Sister Michelle McGurran.

The Secretary called the roll by legislative districts in numerical order, and the following Senators answered to their names:

First District . . . . .	Marv Hanson
Second District . . . . .	Roger D. Moe
Third District . . . . .	Bob Lessard
Fourth District . . . . .	Gerald L. Willet
Fifth District . . . . .	Ronald R. Dicklich
Sixth District . . . . .	Douglas J. Johnson
Seventh District . . . . .	Sam G. Solon
Eighth District . . . . .	James Ulland
Ninth District . . . . .	Keith Langseth
Tenth District . . . . .	Collin C. Peterson
Eleventh District . . . . .	Wayne Olhoft
Twelfth District . . . . .	
Thirteenth District . . . . .	Dave Rued
Fourteenth District . . . . .	Florian Chmielewski
Fifteenth District . . . . .	Charles A. Berg
Sixteenth District . . . . .	Joe Bertram
Seventeenth District . . . . .	James C. Pehler
Eighteenth District . . . . .	Charles R. Davis
Nineteenth District . . . . .	Randolph W. Peterson
Twentieth District . . . . .	Randy P. Kamrath
Twenty-first District . . . . .	A. O. H. Setzepfandt
Twenty-second District . . . . .	John Bernhagen
Twenty-third District . . . . .	Earl W. Renneke
Twenty-fourth District . . . . .	Clarence M. Purfeerst
Twenty-fifth District . . . . .	Steve Engler
Twenty-sixth District . . . . .	Marion (Mike) Menning
Twenty-seventh District . . . . .	Darrel L. Peterson
Twenty-eighth District . . . . .	Dennis Frederickson
Twenty-ninth District . . . . .	Glen Taylor

Thirtieth District	Timothy J. Penny
Thirty-first District	Tom A. Nelson
Thirty-second District	Mel Frederick
Thirty-third District	Nancy Brataas
Thirty-fourth District	Patricia Louise Kronebusch
Thirty-fifth District	Duane D. Benson
Thirty-sixth District	Robert J. Schmitz
Thirty-seventh District	Steve Lindgren
Thirty-eighth District	William V. Belanger, Jr.
Thirty-ninth District	Otto T. Bang, Jr.
Fortieth District	John B. Keefe
Forty-first District	
Forty-second District	George S. Pillsbury
Forty-third District	Jim Ramstad
Forty-fourth District	Hubert H. Humphrey, III
Forty-fifth District	William P. Luther
Forty-sixth District	Don Frank
Forty-seventh District	Gene Merriam
Forty-eighth District	Robert O. Ashbach
Forty-ninth District	Gregory L. Dahl
Fiftieth District	Jerome M. Hughes
Fifty-first District	Gerry Sikorski
Fifty-second District	Conrad M. Vega
Fifty-third District	
Fifty-fourth District	Carl W. Kroening
Fifty-fifth District	Anne K. Stokowski
Fifty-sixth District	Robert J. Tennesen
Fifty-seventh District	
Fifty-eighth District	Eric D. Petty
Fifty-ninth District	Linda Berglin
Sixtieth District	Jack Davies
Sixty-first District	Franklin J. Knoll
Sixty-second District	Neil Dieterich
Sixty-third District	Ron Sieloff
Sixty-fourth District	
Sixty-fifth District	Donald M. Moe
Sixty-sixth District	Gene Waldorf
Sixty-seventh District	Marilyn M. Lantry

The President declared a quorum present.

## STATE OF MINNESOTA

### PROCLAMATION

WHEREAS: The Legislature has established by law a schedule of aid payments by the State of Minnesota to local units of government and local school districts which will require the state to expend funds in excess of the cash on hand available at certain times during the coming biennium; and

WHEREAS: The authority of the State of Minnesota to engage in short-term borrowing to meet its financial obligations during these periods of cash shortage is insufficient to permit the state to meet these obligations in a timely manner; and

WHEREAS: It is necessary to provide state government with the financial management tools to enable it to meet its financial obligations prior to the next regular Session of the Legislature and in future years, thereby creating an extraordinary occasion; and

WHEREAS: Article IV, Section 12 of the Constitution of the State of Minnesota provides that a Special Session of the Legislature may be called on extraordinary occasions;

NOW, THEREFORE, I, Albert H. Quie, Governor of the State of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Wednesday, July 1, 1981, at 10:00 a.m. in the forenoon at the Capitol in Saint Paul.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed this twenty-fifth day of June in the year of our Lord one thousand nine hundred eighty-one and of the State the one hundred twenty-third.

Albert H. Quie,  
Governor

Joan Anderson Grove,  
Secretary of State

#### MEMBERS EXCUSED

Messrs. Wegener, Stern, Knutson, Spear, and Stumpf were excused from the Session of today. Mr. Tennesen was excused from the Session of today from 4:00 to 5:45 p.m.

#### RECESS

Mr. Moe, R. D. moved that the Senate do now recess until 11:45 a.m. The motion prevailed.

The hour of 11:45 a.m. having arrived, the President called the Senate to order.

#### RECESS

Mr. Moe, R. D. moved that the Senate do now recess until 2:15 p.m. The motion prevailed.

The hour of 2:15 p.m. having arrived, the President called the Senate to order.

#### MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No.1: A Senate resolution relating to organization and operation of the Senate during the second Special Session.

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

The Senate is organized pursuant to Minnesota Statutes 1980, Sections 3.073 and 3.103.

The Rules of the Senate for the 72nd Legislature shall be the Rules for the second Special Session, except that Rules 33, 40 and 57 shall not be operative other than as provided herein.

The Committee on Rules and Administration is established in the same manner and with the same powers as pertained in the 72nd Legislature.

With respect to Rule 31, Reconsideration, a notice of intention to move for reconsideration shall not be in order, but a motion to reconsider may be made, and when made shall have priority over other business except a motion to adjourn.

Mr. Moe, R.D. 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Keefe	Moe, R. D.	Rued
Bang	Dicklich	Knoll	Nelson	Schmitz
Belanger	Dieterich	Kroening	Pehler	Setzepfandt
Benson	Engler	Kronebusch	Penny	Sieloff
Berg	Frank	Langseth	Peterson, C. C.	Sikorski
Bernhagen	Frederickson	Lantry	Peterson, D. L.	Stokowski
Bertram	Hanson	Lessard	Peterson, R. W.	Taylor
Brataas	Hughes	Lindgren	Petty	Tennessen
Chmielewski	Humphrey	Luther	Pillsbury	Ulland
Dahl	Johnson	Merriam	Ramstad	Waldorf
Davies	Kamrath	Moe, D. M.	Renneke	Willet

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

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

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives of the State of Minnesota is now duly organized for the 1981 Second Special Session pursuant to law.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 1, 1981

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Messrs. Penny, Taylor, Dieterich, Frederickson and Petty introduced—

S.F. No. 1: A resolution memorializing the President and Congress to declare certain Minnesota counties to be disaster areas for the purpose of receiving federal disaster aid.

Mr. Moe, R.D. moved that S.F. No. 1 be laid on the table. The motion prevailed.

Messrs. Pillsbury, Berg and Renneke introduced—

S.F. No. 2: A bill for an act relating to congressional districts; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; and 2.801.

Mr. Moe, R.D. moved that S.F. No. 2 be laid on the table. The motion prevailed.

Mr. Waldorf introduced—

S.F. No. 3: A bill for an act relating to insurance; directing the commissioner of public safety to promulgate rules regarding mandatory vehicle insurance; amending Minnesota Statutes 1980, Section 65B.68, by adding a subdivision.

Mr. Moe, R.D. moved that S.F. No. 3 be laid on the table. The motion prevailed.

Mr. Waldorf introduced—

S.F. No. 4: A bill for an act relating to financial institutions; excepting open end credit from the bank loan interest rate; amending Laws 1981, Chapter 259, Section 1.

Mr. Moe, R.D. moved that S.F. No. 4 be laid on the table. The motion prevailed.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:30 p.m. The motion prevailed.

The hour of 3:30 p.m. having arrived, the President called the Senate to order.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following 1981 Second Special Session House File, herewith transmitted: H.F. No. 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 1, 1981

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1: A bill for an act relating to the financing of state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; requiring a study of the state's cash management; requiring plan to reduce short-term borrowing; amending Minnesota Statutes 1980, Sections 16A.128, as amended, and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16A; repealing Minnesota Statutes 1980, Sections 16A.67; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1 and that the rules of the Senate be so far suspended as to give H. F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1 was read the second time.

Mr. Moe, R. D. moved to amend H.F. No. 1 as follows:

Page 4, line 25, delete "\$440,000,000" and insert "\$100,000,000"

Page 7, lines 21 and 22, delete "January 1, 1982" and insert "December 1, 1981"

Page 7, line 22, after "to" insert "the governor;"

Page 7, line 29, after "reduce" insert "below the level of \$440,000,000, currently estimated to be needed for fiscal year 1983,"

Page 7, line 30, delete "in subsequent biennial budgets"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 41 and nays 20, as follows:

Those who voted in the affirmative were:

- |         |           |          |            |          |
|---------|-----------|----------|------------|----------|
| Berglin | Davis     | Hanson   | Knoll      | Lantry   |
| Bertram | Dicklich  | Hughes   | Kroening   | Lessard  |
| Dahl    | Dieterich | Humphrey | Kronebusch | Lindgren |
| Davies  | Frank     | Johnson  | Langseth   | Luther   |

Menning	Olhoff	Petty	Sieloff	Vega
Merriam	Pehler	Purfeerst	Sikorski	Waldorf
Moe, D.M.	Penny	Schmitz	Solon	Willet
Moe, R.D.	Peterson, C.C.	Setzepfandt	Stokowski	
Nelson	Peterson, R.W.			

Those who voted in the negative were:

Ashbach	Berg	Engler	Keefe	Renneke
Bang	Bernhagen	Frederick	Peterson, D.L.	Rued
Belanger	Brataas	Frederickson	Pillsbury	Taylor
Benson	Chmielewski	Kamrath	Ramstad	Ulland

The motion prevailed. So the amendment was adopted.

H. F. No. 1 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 19 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Johnson	Moe, R.D.	Solon
Bang	Frederick	Luther	Nelson	Vega
Berglin	Hanson	Menning	Peterson, C.C.	Waldorf
Brataas	Hughes	Moe, D.M.	Schmitz	

Those who voted in the negative were:

Belanger	Dieterich	Kronebusch	Peterson, D.L.	Sieloff
Benson	Engler	Langseth	Peterson, R.W.	Sikorski
Berg	Frank	Lantry	Petty	Stokowski
Bernhagen	Frederickson	Lessard	Pillsbury	Taylor
Bertram	Humphrey	Lindgren	Purfeerst	Tennessee
Dahl	Kamrath	Merriam	Ramstad	Ulland
Davies	Keefe	Olhoff	Renneke	Willet
Davis	Knoll	Pehler	Rued	
Dicklich	Kroening	Penny	Setzepfandt	

So the bill, as amended, failed to pass.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, July 2, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate