

STATE OF MINNESOTA

# Journal of the Senate

THIRD SPECIAL SESSION

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FIRST DAY

St. Paul, Minnesota, Tuesday, December 1, 1981

The Senate met at 2:00 p.m. and was called to order by the President.

**CALL OF THE SENATE**

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Arnold H. Heumann.

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	Myrton O. Wegener
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
Twent-sixth District	
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	
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	Irving M. Stern
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	Howard A. Knutson
Fifty-fourth District	Carl W. Kroening
Fifty-fifth District	Anne K. Stokowski
Fifty-sixth District	Robert J. Tennessen
Fifty-seventh District	Allan H. Spear
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	Peter P. Stumpf
Sixty-fifth District	Donald M. Moe
Sixty-sixth District	Gene Waldorf
Sixty-seventh District	

The President declared a quorum present.

STATE OF MINNESOTA

PROCLAMATION

WHEREAS: The biennial budget for the State of Minnesota for the biennium ending on June 30, 1983 has been approved by the Legislature and signed into law; and

WHEREAS: Because of the continuing recessionary trends in the national economy, revenues to the State of Minnesota during the current biennium are now projected to be significantly lower than anticipated at the time the budget was adopted, thus creating fiscal problems of a magnitude unprecedented in the state's history; and

WHEREAS: It is necessary to immediately address the state's current cash-flow problem prior to the next regular Session of the Legislature, 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 Tuesday, December 1, 1981, at 2:00 p.m. in the afternoon at the Capitol in Saint Paul.

I urge the Legislature to immediately address the need to assure that state government has sufficient monies available to meet its cash-flow needs, as well as such other matters which must be addressed prior to the next regular Session of the Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed this nineteenth day of November 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 Growe,  
Secretary of State

### MEMBERS EXCUSED

Messrs. Menning, Frederick and Mrs. Lantry were excused from the Session of today.

### 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 third 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 third Special Session, except that Rules 33, 40 and 57 shall not be operative other than as provided herein.

The Committees on Education, on Finance, on Rules and Administration and on Taxes and Tax Laws are 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 or recess.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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.

Mr. Moe, R.D. introduced—

Senate Resolution No. 3: A Senate committee resolution relating to living and travel expenses during the third Special Session.

BE IT RESOLVED, by the Committee on Rules and Administration:

For each calendar day during the third Special Session, not to exceed five days per week unless authorized by the chairman of the Committee on Rules and Administration, each member shall be paid living and travel expenses as provided in Senate Resolution No. 20, appearing in the Journal of the Senate, 84th Day, for the 1981 regular Session.

Each member who moves from his usual place of lodging during the third Special Session shall be reimbursed for his actual lodging expenses, not to exceed \$150 per month.

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 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Benson; Moe, D.M. and Ramstad voted in the negative.

The motion prevailed. So the resolution was adopted.

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 and referred to the committees indicated.

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

S.F. No. 1: A bill for an act relating to taxation; authorizing use of newly enacted federal depreciation provisions for all taxpayers; eliminating commissioner of revenue's discretion to adopt new depreciation schedules; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20; 290.09, Subdivision 7; and 290.091.

Referred to the Committee on Taxes and Tax Laws.

Mr. Vega introduced—

S.F. No. 2: A bill for an act relating to public utilities; limiting the amount of proposed rate increases that may be put into effect during suspension of a rate schedule pending final approval; amending Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

Referred to the Committee on Rules and Administration.

Ms. Berglin, Messrs. Nelson, Spear and Sikorski introduced—

S.F. No. 3: A bill for an act relating to federal money; extending the time period for allocating certain federal block grant money; amending Laws 1981, Chapter 356, Section 63.

Referred to the Committee on Finance.

Ms. Berglin introduced—

S.F. No. 4: A bill for an act relating to public welfare; changing certain provisions governing aid to families with dependent children as required or authorized by federal law; changing and adding definitions; changing eligibility standards; changing income, resource, and disregard provisions; specifying coverage for pregnant women; eliminating coverage of the unborn; specifying reporting and budgeting requirements; establishing the standard of need and payment amount; specifying the amount of stepparent income used in determining need; repealing a general stepparents' duty to support stepchildren; further specifying public agency responsibilities regarding support or maintenance orders; extending medical assistance coverage to certain pregnant women; amending Minnesota Statutes 1980, Sections 256.12, Subdivision 14, and by adding subdivisions; 256.73, Subdivisions 3a, 5, and 6; 256.736, Subdivisions 3 and 4; 256.74, Subdivision 1, and by adding a subdivision; 256.935, Subdivision 2; 256.99; Minnesota Statutes 1981 Supplement, Sections 256.73, Subdivision 2; 256.872, Subdivision 1, and by adding subdivisions; 256B.06, Subdivision 1; 518.551, Subdivision 7; repealing Minnesota Statutes 1981 Supplement, Section 257.021; proposing new law coded in Minnesota Statutes, Chapter 256.

Referred to the Committee on Finance.

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

S.F. No. 5: A bill for an act relating to taxation; updating estate tax references to the Internal Revenue Code; changing the specific exemption to conform to the unified credit equivalent; removing the marital deduction limitation; modifying filing requirements; amending Minnesota Statutes 1980, Sections 291.015; 291.03, as amended; 291.051, Subdivision 1; 291.09, Subdivision 1a; 291.132, Subdivision 4; Minnesota Statutes 1981 Supplement, Section 291.005, Subdivision 1; repealing Minnesota Statutes 1980, Section 291.051, Subdivisions 2 and 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Renneke, Dahl and Taylor introduced—

S.F. No. 6: A bill for an act relating to energy; exempting ethanol or fuel alcohol plants from certificate of need requirements; amending Minnesota Statutes 1980, Section 116H.13, Subdivision 8.

Referred to the Committee on Rules and Administration.

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 Third Special Session pursuant to law.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 1, 1981

Without objection, the Senate proceeded to the Order of Business of Motions and Resolutions.

### MOTIONS AND RESOLUTIONS

Mr. Johnson moved that the names of Messrs. Pehler and Lessard be added as co-authors to S.F. No. 1. The motion prevailed.

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, December 3, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate