

## SIXTY-SIXTH DAY

St. Paul, Minnesota, Thursday, January 28, 1982

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

### CALL OF THE SENATE

Mr. Merriam 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. Thomas G. Phillips.

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

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

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 and Lessard were excused from the Session of today.

### MOTIONS AND RESOLUTIONS

Mr. Humphrey moved that his name be stricken as chief author, added as a co-author, and Mr. Ramstad be added as chief author to S.F. No. 871. The motion prevailed.

Mr. Sikorski moved that the name of Ms. Berglin be added as a co-author to S.F. No. 1596. The motion prevailed.

Mr. Spear introduced—

Senate Resolution No. 71: A Senate resolution commemorating the 100th

anniversary of the birth of Franklin Delano Roosevelt.

Mr. Moe, R. D. moved that Senate Resolution No. 71 be laid on the table. The motion prevailed.

Mr. Peterson, R. W. introduced—

Senate Resolution No. 72: A Senate resolution commemorating the life and work of Franklin Delano Roosevelt.

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.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Moe, R. D., Chairman of the Subcommittee on Bill Scheduling, designated S.F. No. 1552 a Special Order to be heard immediately.

S.F. No. 1552: A bill for an act relating to legislative districts; reapportioning legislative districts; amending Minnesota Statutes 1980, Sections 2.021; 2.031; and 2.711; proposing new law coded in Minnesota Statutes, Chapter 2; repealing Minnesota Statutes 1980, Sections 2.041 to 2.701 and 2.712.

Mr. Stumpf moved to amend S. F. No. 1552 as follows:

Page 13, line 18, delete "29th Ave. North" and insert "Park Drive"

Page 13, line 19, delete "29th Ave. North" and insert "Park Drive"

Page 13, lines 19 and 20, delete "29th Ave. North" and insert "Park Drive to Forest Drive, southwesterly along Forest Drive to 29th Ave. North, southerly along 29th Ave. North"

Page 30, line 35, after "the" insert "northern line of the"

Page 33, line 32, delete "Ave." and insert "Lane" in both places

Page 34, line 10, delete "St." and insert "Ave." in both places

Page 34, line 17, after "Blaine" insert ", Mounds View"

Page 35, line 7, delete "north" and insert "south"

Page 35, line 7, delete "east" and insert "west"

Page 35, line 32, delete "lying east of a line" and insert "located within an area"

Page 35, line 33, delete "County Road D and" and insert "the northern city boundary and the Burlington Northern Railway tracks, southerly along the Burlington Northern Railway tracks to County Road D, easterly along County

*Road D to*

Page 36, line 2, delete "and" and insert a comma

Page 36, line 3, after "Ave." insert "*, easterly along Larpenteur Ave. to the Ramsey County line, northerly along the Ramsey County line to the northern boundary of the city of Maplewood, westerly along the northern boundary of the city of Maplewood to the point of origin.*"

Page 41, line 6, delete "the mall" and insert "The Mall"

Page 41, line 6, delete "W. 29th St." and insert "The Mall"

Page 42, line 14, delete "1st" and insert "3rd"

Page 43, lines 20 and 21, capitalize "railway"

Page 45, line 26, delete "Nicoller" and insert "Pillsbury"

Page 47, line 7, delete "westerly" and insert "western"

Page 47, line 27, delete "state highway 96" and insert "Turtle Lake Road"

Page 50, line 12, delete everything after "Ave."

Page 50, line 13, delete everything before "to"

Page 51, line 11, delete everything after "Ave."

Page 51, line 12, delete everything before "to"

Page 52, line 8, delete "Fairview" and insert "Prior"

Page 53, lines 6 and 7, delete "E. Minnehaha Ave." and insert "10th Street North"

Page 53, line 10, delete "Geneva" and insert "Century" in both places

Page 54, line 20, delete "Ave." and insert "St."

The motion prevailed. So the amendment was adopted.

S.F. No. 1552 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 44 and nays 21, as follows:

Those who voted in the affirmative were:

Berg	Frank	Menning	Peterson, R. W.	Stern
Berglin	Hughes	Merriam	Petty	Stokowski
Bertram	Humphrey	Moe, D. M.	Purfeerst	Stumpf
Chmielewski	Johnson	Moe, R. D.	Renneke	Tennessee
Dahl	Knoll	Nelson	Schmitz	Vega
Davies	Kroening	Olhoft	Setzepfandt	Waldorf
Davis	Langseth	Pehler	Sikorski	Wegener
Dicklich	Lantry	Penny	Solon	Willet
Dieterich	Luther	Peterson, C. C.	Spear	

Those who voted in the negative were:

Ashbach	Brataas	Keefe	Pillsbury	Ulland
Bang	Engler	Knutson	Ramstad	
Belanger	Frederick	Kronebusch	Rued	
Benson	Frederickson	Lindgren	Sieloff	
Bernhagen	Kamrath	Peterson, D. L.	Taylor	

So the bill, as amended, passed and its title was agreed to.

Mr. Moe, R.D. moved that Senate Resolution No. 71 be taken from the table. The motion prevailed.

Senate Resolution No. 71: A Senate resolution commemorating the 100th anniversary of the birth of Franklin Delano Roosevelt.

WHEREAS, January 30, 1982 is the 100th birthday of Franklin Delano Roosevelt; and,

WHEREAS, Franklin Delano Roosevelt was one of our greatest presidents; and,

WHEREAS, Franklin Delano Roosevelt exhibited great compassion for humanity; and,

WHEREAS, Franklin Delano Roosevelt recognized and advanced the role of government to provide assistance for those unable to provide for themselves; and,

WHEREAS, Franklin Delano Roosevelt provided world leadership based on a vision of cooperation and amity; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, that it proclaims Saturday, January 30, 1982 as Franklin Delano Roosevelt Centennial Day in Minnesota.

BE IT FURTHER RESOLVED that the people of Minnesota are encouraged to hold meetings, ceremonies, celebrations, and other activities to commemorate Franklin Delano Roosevelt Centennial Day.

Mr. Spear 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.

Ms. Berglin introduced—

S.F. No. 1622: A bill for an act relating to taxation; providing homestead treatment for certain cooperative housing; amending Minnesota Statutes 1980, Section 273.133, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pehler, Bernhagen, Olhoft, Berg and Davies introduced—

S.F. No. 1623: A bill for an act relating to public indebtedness; providing the interest rate maximum on obligations; amending Minnesota Statutes 1980, Section 475.55, Subdivision 1.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Merriam introduced—

S.F. No. 1624: A bill for an act relating to education; changing certain dates related to approval of special education programs by the commissioner of

education; changing the date aid is paid for special education summer school programs; amending Minnesota Statutes 1980, Section 124.32, Subdivisions 7 and 10.

Referred to the Committee on Education.

Messrs. Ashbach, Dicklich and Johnson introduced—

S.F. No. 1625: A bill for an act relating to state lands; providing for the conveyance of certain lands to the heirs of John G. and Ruby A. Handberg.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Solon introduced—

S.F. No. 1626: A bill for an act relating to public welfare; providing for reimbursement of chiropractic services for people receiving general assistance medical care; clarifying the meaning of medically certified for purposes of eligibility for general assistance; amending Minnesota Statutes 1981 Supplement, Sections 256D.03, Subdivision 4; and 256D.05, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Ms. Berglin, Messrs. Knoll and Moe, R.D. introduced—

S.F. No. 1627: A bill for an act relating to debt management; creating the legislative commission on debt management and prescribing its duties; requiring reports; proposing new law coded in Minnesota Statutes, Chapter 3.

Referred to the Committee on Governmental Operations.

Mr. Dicklich introduced—

S.F. No. 1628: A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association.

Referred to the Committee on Public Employees and Pensions.

Mr. Dicklich introduced—

S.F. No. 1629: A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1 and Laws 1971, Chapter 614, Section 1, Subdivision 2.

Referred to the Committee on Public Employees and Pensions.

Mr. Hanson introduced—

S.F. No. 1630: A bill for an act relating to the legislature; changing January payment date; amending Minnesota Statutes 1980, Section 3.099, Subdivision 1.

Referred to the Committee on Rules and Administration.

Mr. Hanson introduced—

S.F. No. 1631: A bill for an act relating to the Red River watershed; naming all counties in which the special taxing authority of certain watershed districts applies; amending Laws 1976, Chapter 162, Section 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Hanson introduced—

S.F. No. 1632: A bill for an act relating to education; providing for enrollment in a school district other than the district of residence in cases of particular hardship; amending Minnesota Statutes 1980, Section 120.0751, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Education.

Mr. Knutson, Mrs. Lantry, Messrs. Schmitz, Purfeerst and Engler introduced—

S.F. No. 1633: A bill for an act relating to transportation; directing the commissioner of transportation to construct a freeway along a certain route in the city of St. Paul; requiring the posting of bond in certain proceedings; amending Minnesota Statutes 1980, Section 161.1245, Subdivision 1; repealing Minnesota Statutes 1980, Section 161.1245, Subdivision 2.

Referred to the Committee on Transportation.

Messrs. Davies; Peterson, R.W.; Petty and Chmielewski introduced—

S.F. No. 1634: A bill for an act relating to employment; providing protection for employees who perform certain civic duties; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 181.

Referred to the Committee on Judiciary.

Mr. Taylor introduced—

S.F. No. 1635: A bill for an act relating to education; eliminating a requirement that school districts submit separate corrections of all auditor adjustments; amending Minnesota Statutes 1980, Section 121.908, Subdivision 3.

Referred to the Committee on Education.

Messrs. Berg, Merriam, Ashbach, Setzepfandt and Renneke introduced—

S.F. No. 1636: A bill for an act relating to elections; requiring notices and reports concerning certain fundraisers; proposing new law coded in Minnesota Statutes, Chapter 10A.

Referred to the Committee on Elections and Reapportionment.

Mr. Spear; Ms. Berglin; Messrs. Moe, D.M. and Nelson introduced—

S.F. No. 1637: A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.

Referred to the Committee on Public Employees and Pensions.

Messrs. Rued; Peterson, R. W.; Hughes and Peterson, D.L. introduced—

S.F. No. 1638: A bill for an act relating to education; authorizing the use of the special purpose capital expenditure levy for payment of special assessments against school district property; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11b.

Referred to the Committee on Education.

Mr. Spear introduced—

S.F. No. 1639: A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.

Referred to the Committee on Public Employees and Pensions.

Messrs. Petty and Davies introduced—

S.F. No. 1640: A bill for an act relating to Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; amending Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.

Referred to the Committee on Local Government and Urban Affairs.

Mr. Sieloff introduced—

S.F. No. 1641: A bill for an act relating to family law; defining the status of marital property and providing for its division in dissolution and annulment actions; amending Minnesota Statutes 1980, Section 518.54, Subdivision 5; and Minnesota Statutes 1981 Supplement, Section 518.58.

Referred to the Committee on Judiciary.

Mr. Benson introduced—

S.F. No. 1642: A bill for an act relating to agriculture; clarifying the provision of state livestock weighing services; amending Minnesota Statutes 1980, Section 17A.10.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Rued, Setzepfandt, Willet, Frederickson and Langseth introduced—

S.F. No. 1643: A bill for an act relating to agriculture; requiring the commissioner of agriculture to make certain rules relating to milk for manufacturing purposes; proposing new law coded in Minnesota Statutes, Chapter 32.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang, Tennesen, Stern, Benson and Keefe introduced—

S.F. No. 1644: A bill for an act relating to securities; removing the exemption from filing fees for an agent who is a primary officer, partner, or director of a licensed broker-dealer; amending Minnesota Statutes 1981 Supplement, Section 80A.28, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Dahl, Sikorski, Humphrey, Willet and Stern introduced—

S.F. No. 1645: A bill for an act relating to easements; permitting utilization of wind easements for the operation of wind power systems; amending Minnesota Statutes 1980, Section 500.30.

Referred to the Committee on Energy and Housing.

Messrs. Engler, Knutson and Schmitz introduced—

S.F. No. 1646: A bill for an act relating to the city of Lakeville; authorizing advances of cash or engineering services, or both, by the city of Lakeville to the commissioner of transportation to expedite construction and improvement on a certain trunk highway within the city of Lakeville; authorizing the commissioner of transportation, by contract, to accept the advances and repay the advances from the trunk highway fund.

Referred to the Committee on Transportation.

Messrs. Kamrath, Frederickson, Spear and Peterson, C.C. introduced—

S.F. No. 1647: A bill for an act relating to retirement; permitting augmentation of benefits after 30 years of service in certain cases; proposing new law coded in Minnesota Statutes, Chapter 356.

Referred to the Committee on Public Employees and Pensions.

Messrs. Dahl and Davies introduced—

S.F. No. 1648: A bill for an act relating to nonprofit corporations; providing an internal reference correction; amending Minnesota Statutes 1980, Section 317.16, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Rued, Dieterich and Frederick introduced—

S.F. No. 1649: A bill for an act relating to education; modifying certain provisions governing abatement levy limitation adjustments as related to school districts; amending Minnesota Statutes 1980, Section 275.48.

Referred to the Committee on Education.

Messrs. Knutson, Solon, Benson and Mrs. Brataas introduced—

S.F. No. 1650: A bill for an act relating to public welfare; establishing foster care maintenance payments by the state; establishing a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements



of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding the eligibility for medical assistance to include children receiving foster care maintenance payments under Title IV-E of the federal Social Security Act; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Waldorf introduced—

S.F. No. 1651: A bill for an act relating to the legislature; changing the dates on which members of the legislature are paid; amending Minnesota Statutes 1980, Section 3.099, Subdivision 1.

Referred to the Committee on Rules and Administration.

Messrs. Dahl, Setzepfandt, Sikorski, Johnson and Moe, R.D. introduced—

S.F. No. 1652: A bill for an act relating to taxation; providing an income tax credit for certain expenditures for woodburning appliances; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.

Referred to the Committee on Energy and Housing.

Messrs. Peterson, D.L.; Sieloff; Ramstad; Lindgren and Belanger introduced—

S.F. No. 1653: A bill for an act relating to taxation; reducing the rate of taxation on certain corporate and bank income; amending Minnesota Statutes 1980, Section 290.361, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, D.L.; Sieloff; Ramstad; Lindgren and Belanger introduced—

S.F. No. 1654: A bill for an act relating to taxation; adopting certain federal depreciation provisions; 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.

Messrs. Dahl, Frank, Menning, Purfeerst and Langseth introduced—

S.F. No. 1655: A bill for an act relating to state government; establishing a task force on waste and mismanagement in governmental operations; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 4.

Referred to the Committee on Governmental Operations.

Messrs. Dahl, Frank, Petty, Dicklich and Langseth introduced—

S.F. No. 1656: A bill for an act relating to taxation; increasing the income

tax exclusion for pension income; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dahl; Mrs. Lantry; Messrs. Johnson; Moe, D.M. and Mrs. Stokowski introduced—

S.F. No. 1657: A bill for an act relating to residential energy credits; extending the effective date; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.

Referred to the Committee on Energy and Housing.

Messrs. Dahl; Peterson, R.W.; Ashbach and Sieloff introduced—

S.F. No. 1658: A bill for an act relating to civil actions; providing civil liability for illegal sale or barter of alcoholic beverages; amending Minnesota Statutes 1980, Sections 340.95; and 340.951; proposing new law coded in Chapter 340.

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, February 1, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate