

## NINETIETH DAY

St. Paul, Minnesota, Thursday, March 18, 1982

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

### CALL OF THE SENATE

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

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

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

The President declared a quorum present.

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

Prayer was offered by the Chaplain, Rabbi Kassel Abelson.

### MEMORIAL SERVICE

The Senate proceeded with a Memorial Service for deceased Senators:

#### A MEMORIAL PRAYER

offered by Rabbi Kassel Abelson

We pause for this moment to honor the memory of the sixteen members of this Assembly who have departed this life during the past three years.

- The Honorable Walter Burdick - 1947-1958
- The Honorable Nicholas D. Coleman - 1963-1980
- The Honorable Emmett L. Duemke - 1945-1954
- The Honorable Franklin E. Ebner - 1933-1934
- The Honorable Val Imm - 1935-1966
- The Honorable Carl M. Iverson - 1931-1934
- The Honorable Eugene P. Knudsen - 1963-1966
- The Honorable B. Robert Lewis - 1973-1979

The Honorable John L. Olson - 1959-1976  
 The Honorable Everett L. Peterson - 1947-1950  
 The Honorable Emil Regnier - 1931-1934  
 The Honorable Ed Schrom - 1971-1980  
 The Honorable Vladimir Shipka - 1959-1962  
 The Honorable Eugene Stokowski - 1973-1979  
 The Honorable A.O. Sundet - 1959-1970  
 The Honorable Kenneth W. Wolfe - 1967-1972

We give thanks for them - for their comradeship in common tasks - for their service to this Body - and for their dedication to the people of this State. Let us pray.

Our Father, for every remembrance of these friends and colleagues who have gone before us, we give you thanks. We know that in their service of your people they were also serving you.

We praise you for lives touched by their lives in their homes and families, in their communities, in their congregations, and in their service to this State.

Bless and befriend their loved ones. Minister to their sorrowing spirits with your loving presence and promise. May we all find inspiration and strength beyond our own - in the memories of the lives and deeds of our colleagues. Amen.

Mr. Moe, R.D. moved that the Memorial Prayer be printed in the Journal and that the Secretary of the Senate transmit a formal copy of this Memorial Prayer to the widows of the deceased Senators or their next of kin. The motion prevailed.

#### MEMBERS EXCUSED

Messrs. Keefe and Vega were excused from the Session of today.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 12, 1982

The Honorable Jack Davies  
 President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1455, 1510, 1567, 2103, 1727 and 1547.

Sincerely,

Albert H. Quie, Governor

March 12, 1982

The Honorable Harry A. Sieben, Jr.  
 Speaker of the House of Representatives  
 The Honorable Jack Davies  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1336	397	March 12	March 12
	1139	398	March 12	March 12
1455		399	March 12	March 12
1510		400	March 12	March 12
1567		401	March 12	March 12
2103		402	March 12	March 12
1727		403	March 12	March 12
1547		404	March 12	March 12

Sincerely,

Joan Anderson Growe  
Secretary of State

March 15, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 786, 2095, 860, 1613, 1879, 1878, 1687, 1673 and 1648.

Sincerely,

Albert H. Quie, Governor

March 15, 1982

The Honorable Harry A. Sieben, Jr.  
Speaker of the House of RepresentativesThe Honorable Jack Davies  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
2095		405	March 15	March 15
	1948	406	March 15	March 15
	1747	407	March 15	March 15
	1700	408	March 15	March 15
	1725	409	March 15	March 15
	1646	410	March 15	March 15
	2116	411	March 15	March 15
	2068	412	March 15	March 15
	1920	413	March 15	March 15
	12	414	March 15	March 15
860		415	March 15	March 15
1879		416	March 15	March 15
1878		417	March 15	March 15
1687		418	March 15	March 15
1673		419	March 15	March 15
1648		420	March 15	March 15

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
786		421	March 15	March 15
1613		422	March 15	March 15

Sincerely,

Joan Anderson Growe  
Secretary of State

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:00 p.m. The motion prevailed.

The hour of 3:00 p.m. having arrived, the President called the Senate to order.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 4:00 p.m. The motion prevailed.

The hour of 4:00 p.m. having arrived, the President called the Senate to order.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 5:00 p.m. The motion prevailed.

The hour of 5:00 p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

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

### REPORTS OF COMMITTEES

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

S.F. No. 2169: A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; amending Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 7, as amended.

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

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

### SECOND READING OF SENATE BILLS

S.F. No. 2169 was read the second time.

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

### MOTIONS AND RESOLUTIONS

Mr. Bang introduced—

Senate Resolution No. 85: A Senate resolution congratulating the Hornets Hockey Team from Edina High School for winning the 1982 State High School Hockey Championship.

Mr. Moe, R.D. moved that Senate Resolution No. 85 be laid on the table. The motion prevailed.

Mr. Dicklich introduced—

Senate Resolution No. 86: A Senate resolution congratulating George Perpich on being named hockey coach of the year.

WHEREAS, George Perpich of Hibbing, Minnesota, has personified high school hockey on the Iron Range for the past 29 years; and,

WHEREAS, the 1982 Hibbing State Tournament wins over Sibley and Bloomington-Jefferson represent the 401st victory for Coach Perpich over this time; and,

WHEREAS, the 1982 Hibbing hockey entry in the state tournament marked the fifth such trip for a Perpich-coached club; and,

WHEREAS, the Perpich-led team in 1973 won the Minnesota State High School Hockey Tournament title; and,

WHEREAS, the remarkable 401-177-67 record compiled by Coach Perpich places him among the all-time greats in Minnesota high school hockey history; and,

WHEREAS, Coach George Perpich was honored by the Coaches Association as its "HOCKEY COACH OF THE YEAR" for 1982; NOW, THEREFORE,

BE IT RESOLVED that the Senate of the State of Minnesota congratulates Coach George Perpich as 1982 Hockey Coach of the Year and, additionally, thanks him for his unselfish devotion to the best aspects of Minnesota high school athletics.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll this resolution, to be authenticated by his signature and that of the President, and to present it to George Perpich.

Mr. Dicklich moved the adoption of the foregoing resolution. 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.

Mr. Dahl introduced—

S.F. No. 2234: A bill for an act relating to the metropolitan transit commission; providing for special fares for qualified senior citizens; amending Minnesota Statutes 1980, Section 473.408, Subdivision 3, as amended.

Referred to the Committee on Transportation.

Mr. Dahl introduced—

S.F. No. 2235: A bill for an act relating to taxation; property tax refund; increasing the maximum refund amount for disabled persons or persons aged 65 or older; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 290A.04, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dahl introduced—

S.F. No. 2236: A bill for an act relating to children; establishing a program of early intervention for the benefit of developmentally delayed children; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 145A.

Referred to the Committee on Education.

Mr. Peterson, R.W. introduced—

S.F. No. 2237: A bill for an act relating to negligence actions; providing for joint and several liability and equal contribution to awards; amending Minnesota Statutes 1980, Section 604.02, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

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

### MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 87: A Senate resolution relating to conduct of Senate business during the interim between Sessions.

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

The powers, duties, and procedures set forth in this resolution apply during the interim between the adjournment sine die of the 72nd Legislature, 1982 Session, and the convening of the 73rd Legislature, 1983 Session.

The Committee on Rules and Administration may, from time to time, assign to the various committees and subcommittees of the Senate, in the interim, matters brought to its attention by any member of the Senate for study and investigation. The standing committees and subcommittees may study and investigate all subjects that come within their usual jurisdiction, as provided by Minnesota Statutes, Section 3.921. A committee shall carry on its work by subcommittee or by committee action as the committee from time to time determines. Any study undertaken by any of the standing committees, or any subcommittee thereof, shall be coordinated to the greatest extent possible with other standing committees or subcommittees of the Senate and House of Representatives, and may, if the committee or subcommittee so determines, be carried on jointly with another committee or subcommittee of the Senate or House of Representatives.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in committees, commissions, and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise. The Subcommittee on Committees may appoint members of the Senate to assist in the work of any committee.

The Committee on Rules and Administration shall establish positions, set compensation and benefits, appoint employees, and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse these persons for the costs thereof out of monies appropriated to the Senate for the standing committees.

All members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties during the interim in the manner provided by law. Payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees. The Committee on Rules and Administration shall determine the amount and manner of reimbursement for living and other expenses of each member of the Senate incurred in the performance of his duties when the Legislature is not in regular session.

The Secretary of the Senate shall continue to perform his duties during the interim. During the interim, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered the Senate at the rate established for that position for the 1982 regular session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending meetings of the American Society of Legislative Clerks and Secretaries and the National Conference of State Legislatures.

Should a vacancy occur in the position of Secretary of the Senate, by resignation or other causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in such capacity during the remainder of the interim under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session the employees necessary to finish the business of the Senate at the salaries paid under the rules of the Senate for the 1982 regular session. He is authorized to employ the necessary employees to prepare for the 1983 session at the salaries in effect at that time.

The Secretary of the Senate shall classify as "permanent" for purposes of Minnesota Statutes, Sections 3.095 and 43A.24 those Senate employees heretofore or hereafter certified as "permanent" by the Committee on Rules and Administration.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies, and may reimburse each member for long distance telephone calls and answering services upon proper verification of the expenses incurred, and for other expenses authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the

Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 72nd Legislature. He may include in the Senate Journal proceedings of the last day, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after adjournment sine die.

The Secretary of the Senate may pay election and litigation costs as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for the printing of the daily Senate journals, bills, general orders, special orders, calendars, resolutions, printing and binding of the permanent Senate Journal, shall secure bids and enter into contracts for remodeling, improvement and furnishing of Senate office space, conference rooms and the Senate Chamber and shall purchase all supplies, equipment and other goods and services necessary to carry out the work of the Senate. Any contracts in excess of \$5,000 shall be signed by the Chairman of the Committee on Rules and Administration and another member designated by the Committee on Rules and Administration.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts herein referred to.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate shall be reserved for use by the Senate and its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration, or the Chairman thereof.

The custodian of the Capitol shall continue to provide parking space through the Secretary of the Senate for members and staff of the Minnesota State Senate on Aurora Avenue and other areas as may be required during the interim. The Secretary of the Senate may deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of administration.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Friday, March 19, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate