

THIRD SPECIAL SESSION

THIRD DAY

St. Paul, Minnesota, Friday, December 10, 1982

The Senate met at 10:00 a.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 roll was called, and the following Senators answered to their names:

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Messrs. Moe, R.D.; Willet and Johnson introduced—

S.F. No. 2: A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and in-

creasing employee contributions to various retirement funds; adding two members to the investment advisory council; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256D.05, subdivision 1a; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2c; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended and Laws 1981, Third Special Session chapter 2, article III, section 5.

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

MOTIONS AND RESOLUTIONS

Mr. Hughes introduced—

Senate Resolution No. 6: A Senate resolution honoring State Senator Jack Davies for 24 years of dedicated service to the people of the State of Minnesota.

Mr. Moe, R.D. moved that Senate Resolution No. 6 be laid on the table. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 12:00 noon. The motion prevailed.

The hour of 12:00 noon having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:30 p.m. The motion prevailed.

The hour of 1:30 p.m. having arrived, the President called the Senate to order.

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.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 4:30 p.m. The motion prevailed.

The hour of 4:30 p.m. having arrived, the President called the Senate to order.

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.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Hughes moved that Senate Resolution No. 6 be taken from the table. The motion prevailed.

Senate Resolution No. 6: A Senate resolution honoring State Senator Jack Davies for 24 years of dedicated service to the people of the State of Minnesota.

WHEREAS, State Senator Jack Davies has served the people of Minnesota with unquestioned integrity in the State Senate for 24 years; and

WHEREAS, his tenure has made him the most senior member of the Legislature's upper body; and

WHEREAS, his direction as President of the Senate and his mastery of Senate rules and legislative procedure has ensured the smooth and efficient operation of the Senate; and

WHEREAS, his bold initiative has commanded the respect and admiration of his colleagues;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Minnesota that Senator Davies is congratulated and applauded for his leadership and dedication to the State of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the President of the Senate, and that it be presented to Senator Jack Davies.

Mr. Hughes 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

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.

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.

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 4.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 4: A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256B.03, sub-

division 2; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 297B.02; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Laws 1981, Third Special Session chapter 2, article III, section 5.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 4 and that the rules of the Senate be so far suspended as to give H.F. No. 4 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 4 was read the second time.

H.F. No. 4 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 26, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D.M.	Purfeerst	Vega
Bertram	Humphrey	Moe, R.D.	Schmitz	Waldorf
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Dahl	Knoll	Olhoft	Solon	Willet
Davies	Langseth	Pehler	Spear	
Dicklich	Lantry	Penny	Stern	
Dieterich	Lessard	Peterson, C.C.	Stumpf	
Hanson	Luther	Petty	Tennessen	

Those who voted in the negative were:

Ashbach	Davis	Keefe	Pillsbury	Taylor
Belanger	Engler	Kroening	Ramstad	Ulland
Benson	Frank	Kronebusch	Renneke	
Berg	Frederick	Lindgren	Rued	
Bernhagen	Frederickson	Merriam	Sieloff	
Brataas	Kamrath	Peterson, D.L.	Stokowski	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2: A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 2 and that the rules of the Senate be so far suspended as to give H.F. No. 2 its second and third reading and place it on its final passage. The motion did not prevail.

Mr. Moe, R.D. moved that H.F. No. 2 be referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Resolution No. 7: A Senate resolution relating to adjournment of the 1982 Third Special Session.

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

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the 1982 Third Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the 1982 Third Special Session.

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 is about to adjourn the 1982 Third Special Session sine die.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Tennesen moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate