

EIGHTH DAY

St. Paul, Minnesota, Thursday, January 27, 1983

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

Prayer was offered by the Chaplain, Rev. Leslie G. Svendsen.

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

Adkins	Dieterich	Kronebusch	Pehler	Solon
Anderson	Frank	Laidig	Peterson, C.C.	Spear
Belanger	Frederick	Langseth	Peterson, D.C.	Storm
Benson	Frederickson	Lantry	Peterson, D.L.	Stumpf
Berg	Freeman	Lessard	Peterson, R.W.	Taylor
Berglin	Hughes	Luther	Petty	Ulland
Bernhagen	Isackson	McQuaid	Pogemiller	Vega
Bertram	Johnson, D.E.	Mehrkens	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Merriam	Ramstad	Wegscheid
Dahl	Jude	Moe, D.M.	Reichgott	Willet
Davis	Kamrath	Moe, R.D.	Renneke	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Knutson	Novak	Schmitz	
Diessner	Kroening	Olson	Sieloff	

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

Mrs. Brataas was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

January 21, 1983

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1983 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preser-

vation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1983	Date Filed 1983
	14	I	January 21	January 21

Sincerely,
Joan Anderson Grove
Secretary of State

MOTIONS AND RESOLUTIONS

Mr. Dicklich moved that his name be stricken as a co-author to S.F. No. 83. The motion prevailed.

Mr. Solon moved that the name of Mr. Lessard be added as a co-author to S.F. No. 85. The motion prevailed.

Mr. Petty moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 87. The motion prevailed.

Ms. Olson introduced—

Senate Resolution No. 13: A Senate resolution congratulating Bonnie Smith for winning the Handicapped Athlete of the Year award.

Referred to the Committee on Rules and Administration.

Messrs. Laidig, Lessard, Isackson, Chmielewski and Schmitz introduced—

Senate Resolution No. 14: A Senate resolution requesting the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia; joining with the families of those who are missing in the hope that their long wait will soon be over.

WHEREAS, a decade ago, on January 27, 1973, the Paris Peace Accords were signed to end American involvement in the war in Southeast Asia; and

WHEREAS, one of the conditions of that agreement was provision for a return or accounting for prisoners of war and persons missing in action; and

WHEREAS, the government of Vietnam has only provided information on a few of the missing and this only through the pressure of determined families and dedicated congressmen; and

WHEREAS, 2,490 Americans, including 48 Minnesotans, remain unaccounted for with investigation of their status arrested by failure of the Socialist Republic of Vietnam and its allied governments to cooperate and assist; and

WHEREAS, there have been repeated verified sighting reports that some of the missing men are still alive in Southeast Asia; and

WHEREAS, the sorrow, anxiety, and frustration of the families of these men cannot be dispelled by delay or neglect; and

WHEREAS, it is America's duty to ensure, through an authentic, comprehensive investigation, the return of Americans still in Southeast Asia and to account for Americans who have perished there; and

WHEREAS, it is absolutely essential that the governments of the United States and the Socialist Republic of Vietnam act NOW to account for the missing; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it joins with the families of the missing men in maintaining a constant vigil of anticipation and hope for a true accounting of their loved ones and the immediate return of the remains of those who died as a result of the war or imprisonment.

BE IT FURTHER RESOLVED that the government of the United States should do all it can to answer the questions surrounding the status of the missing men, to secure the return of any living prisoners or missing persons, and to secure the return of the remains of the dead.

BE IT FURTHER RESOLVED that the Socialist Republic of Vietnam should immediately yield all information it has on the status of the missing especially since there is no reason for them to refuse to give this information other than a calculated effort to protract the agony of the families of the missing.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to send enrolled copies of this resolution, authenticated by his signature and that of the President, to the President of the United States, the Speaker and Chief Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, the chairman of the Committee on Foreign Affairs of the United States House of Representatives, the chairman of the Committee on Foreign Relations of the United States Senate, to the Minnesota Representatives and Senators in Congress and to the Permanent Representatives of the Socialist Republic of Vietnam to the United Nations.

Mr. Laidig moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Resolution No. 15: A Senate resolution relating to the attendance of members of standing committees at meetings and seminars; providing for the payment of expenses thereby incurred.

BE IT RESOLVED, by the Senate:

Members of a standing committee or subcommittee of the Senate, and employees thereof, upon approval of the Committee on Rules and Administration, or the chairman thereof, may attend meetings and seminars, including but not limited to meetings of the National Conference of State Legislatures and the Council of State Governments and their committees, on subjects within the jurisdiction of the standing committee or subcommittee.

Expenses incurred in attending these meetings and seminars shall be paid by the Secretary of the Senate with warrants drawn on the Senate legislative expense fund.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Novak	Samuelson
Anderson	Dieterich	Kroening	Olson	Schmitz
Belanger	Frank	Kronebusch	Pehler	Sieloff
Benson	Frederick	Laidig	Peterson, C. C.	Solon
Berg	Frederickson	Langseth	Peterson, D. C.	Spear
Berglin	Freeman	Lantry	Peterson, D. L.	Storm
Bernhagen	Hughes	Lessard	Peterson, R. W.	Stumpf
Bertram	Isackson	Luther	Petty	Taylor
Chmielewski	Johnson, D. E.	McQuaid	Pogemiller	Ulland
Dahl	Johnson, D. J.	Mehrkens	Purfeerst	Vega
Davis	Jude	Merriam	Ramstad	Waldorf
DeCramer	Kamrath	Moe, R. D.	Reichgott	Wegscheid
Dicklich	Knaak	Nelson	Renneke	Willet

The motion prevailed. So the resolution was adopted.

CALENDAR

S.F. No. 41: A bill for an act relating to taxation; income; delaying the effective date of the requirement that certain securities be in registered form; amending Minnesota Statutes 1982, section 290.09, subdivision 3, as amended; Laws 1982, Third Special Session chapter 1, article VII, section 9.

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 63 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knutson	Olson	Sieloff
Anderson	Dieterich	Kroening	Pehler	Solon
Belanger	Frank	Kronebusch	Peterson, C. C.	Spear
Benson	Frederick	Laidig	Peterson, D. C.	Storm
Berg	Frederickson	Langseth	Peterson, D. L.	Stumpf
Berglin	Freeman	Lantry	Petty	Taylor
Bernhagen	Hughes	Lessard	Pogemiller	Ulland
Bertram	Isackson	Luther	Purfeerst	Vega
Chmielewski	Johnson, D. E.	McQuaid	Ramstad	Waldorf
Dahl	Johnson, D. J.	Mehrkens	Reichgott	Wegscheid
Davis	Jude	Moe, R. D.	Renneke	Willet
DeCramer	Kamrath	Nelson	Samuelson	
Dicklich	Knaak	Novak	Schmitz	

Messrs. Merriam and Peterson, R. W. voted in the negative.

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Frederick, Bernhagen and Renneke introduced—

S.F. No. 103: A bill for an act relating to state government; rescinding increases in employee contributions and reductions in employer contributions to various public retirement programs; amending Laws 1982, Third Special Session chapter 1, article II, section 2, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Novak introduced—

S.F. No. 104: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

Referred to the Committee on Veterans and General Legislation.

Messrs. Frank and Vega introduced—

S.F. No. 105: A bill for an act relating to utilities; regulating delinquency fees or charges on certain unpaid accounts; regulating the disconnection of services on these accounts; proposing new law coded in Minnesota Statutes, chapter 222; repealing Minnesota Statutes 1982, section 222.75.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Frank and Vega introduced—

S.F. No. 106: A bill for an act relating to public utilities; authorizing utilities to bring civil actions for treble damages for the unauthorized taking or diversion of electricity, gas, or water; proposing new law coded in Minnesota Statutes, chapter 216B.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Samuelson, Langseth, Berg, Anderson and DeCramer introduced—

S.F. No. 107: A bill for an act relating to agriculture; providing for regulation of apiaries; imposing a penalty; proposing new law coded in Minnesota Statutes, chapter 19; repealing Minnesota Statutes 1982, sections 19.18 to 19.41.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Davis introduced—

S.F. No. 108: A bill for an act relating to state lands; authorizing the sale and conveyance of a certain tract of tax-forfeited land by Sherburne County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Davis introduced—

S.F. No. 109: A bill for an act relating to waters; authorizing conveyance of the state's interest in certain lands in Sherburne County.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dahl; Johnson, D.J.; Lessard; Moe, R.D. and Peterson, C.C. introduced—

S.F. No. 110: A bill for an act relating to commerce; consumer protection; requiring the repair, refund, or replacement of new motor vehicles under certain circumstances; proposing new law coded in Minnesota Statutes, chapter 325F.

Referred to the Committee on Economic Development and Commerce.

Mr. Dieterich, Ms. Berglin, Mr. Frank, Ms. Peterson, D.C. and Mr. Ramstad introduced—

S.F. No. 111: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

Referred to the Committee on Veterans and General Legislation. Mr. Dieterich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Peterson, C.C.; Spear; Renneke; Frederickson and Pogemiller introduced—

S.F. No. 112: A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees.

Referred to the Committee on Governmental Operations.

Messrs. Petty; Johnson, D.J.; Jude; Belanger and Frank introduced—

S.F. No. 113: A bill for an act relating to taxation; prohibiting imposition of penalties for underpayments of estimated tax under certain circumstances.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Vega and Storm introduced—

S.F. No. 114: A bill for an act relating to the legislature; reducing the number of members of the senate; amending Minnesota Statutes 1982, sections 2.021; and 2.031, subdivision 1; repealing Minnesota Statutes 1982, sections 2.031, subdivision 2; and 2.041 to 2.712.

Referred to the Committee on Elections and Ethics.

Mr. Kroening, Ms. Peterson, D.C.; Mr. Pogemiller; Mrs. Adkins and Mr. Spear introduced—

S.F. No. 115: A bill for an act relating to local government; providing for the budget date for the city of Minneapolis and Hennepin county municipal building commission; amending Laws 1903, chapter 247, section 5.

Referred to the Committee on Local and Urban Government.

Mr. Petty, Ms. Berglin, Messrs. Pogemiller, Kroening and Spear introduced—

S.F. No. 116: A bill for an act relating to the city of Minneapolis; permitting the establishment of special service districts; providing taxing and other financial authority for Minneapolis.

Referred to the Committee on Local and Urban Government.

Messrs. Johnson, D.J. and Schmitz introduced—

S.F. No. 117: A bill for an act relating to motor vehicles; providing for a reduced registration tax on certain vehicles owned by senior citizens who do not operate the vehicles on the public streets and highways during certain periods; amending Minnesota Statutes 1982, section 168.013, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Johnson, D.J.; Dicklich and Lessard introduced—

S.F. No. 118: A bill for an act relating to the northeast Minnesota economic protection trust fund; authorizing expenditure of funds for job retraining; providing for administration of the distressed area emergency jobs program; appropriating money; amending Laws 1982, Second Special Session chapter 2, sections 12 and 14.

Referred to the Committee on Economic Development and Commerce.

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

S.F. No. 119: A bill for an act relating to crimes; increasing penalties for certain crimes when committed with intent to cause fear for personal safety because of race, color, religion, sex, affectional or sexual orientation, or national origin; amending Minnesota Statutes 1982, sections 609.595, subdivision 1; and 609.713.

Referred to the Committee on Judiciary.

Messrs. Pehler, Davis, Willet and Purfeerst introduced—

S.F. No. 120: A bill for an act relating to counties; authorizing counties to enact ordinances against trespassing under certain conditions; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 373.

Referred to the Committee on Local and Urban Government.

Messrs. Pogemiller, Luther and Spear introduced—

S.F. No. 121: A bill for an act relating to crimes; prohibiting criminal operation of a vehicle; amending Minnesota Statutes 1982, section 609.21.

Referred to the Committee on Judiciary.

Messrs. Peterson, C.C.; Johnson, D.J.; DeCramer; Wegscheid and Belanger introduced—

S.F. No. 122: A bill for an act relating to taxation; providing an income tax credit for employers who create new jobs; amending Minnesota Statutes 1982, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Langseth and Moe, R.D. introduced—

S.F. No. 123: A bill for an act relating to cities; directing the department of energy, planning and development to identify border city equalization zones; providing disparity relief measures; providing development powers to cities; amending Minnesota Statutes 1982, sections 272.02, subdivision 1; 273.1312, subdivision 4; 273.75, subdivision 1; 290.06, by adding a subdivision; and 290.08, by adding a subdivision; and proposing new law coded in Minnesota Statutes, chapter 459.

Referred to the Committee on Local and Urban Government.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, January 31, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate