

TENTH DAY

St. Paul, Minnesota, Wednesday, February 2, 1983

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

Prayer was offered by the Chaplain, Rev. Peter Wykoff.

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

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

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. Laidig, Merriam and Wegscheid were excused from the Session of today. Mr. Dieterich was excused from the Session of today at 10:40 a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Finance is hereby respectfully submitted to the Senate for confirmation as required by law:

Gordon M. Donhowe, 2135 Knapp St., St. Paul, Ramsey County, has

been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Finance.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Health is hereby respectfully submitted to the Senate for confirmation as required by law:

Sister Mary Madonna Ashton, 5101 West 70th Street, #120, Minneapolis, Hennepin County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Health and Human Services.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Public Welfare is hereby respectfully submitted to the Senate for confirmation as required by law:

Leonard W. Levine, 1741 Hillcrest Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Health and Human Services.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Council is hereby respectfully submitted to the Senate for confirmation as required by law:

Gerald Isaacs, 1835 Mechanic Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Local and Urban Government.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Transit

Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter Stumpf, 1444 North Grotto, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Transportation.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Waste Control Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

George Frisch, 1781 Saunders, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Local and Urban Government.)

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Public Utilities Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Juanita Satterlee, 504 Selby Avenue, #3, St. Paul, Ramsey County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1989.

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

Sincerely,

Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 6: A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 31, 1983

MOTIONS AND RESOLUTIONS

Mr. Dicklich moved that the name of Mr. Johnson, D.J. be added as a

co-author to S.F. No. 60. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Belanger be added as a co-author to S.F. No. 118. The motion prevailed.

Mr. Frank moved that the names of Messrs. Dicklich and Dahl be added as co-authors to S.F. No. 126. The motion prevailed.

Mr. Samuelson moved that the name of Mr. Lessard be added as a co-author to S.F. No. 127. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Nelson be added as a co-author to S.F. No. 142. The motion prevailed.

Mr. Dicklich moved that the names of Messrs. Dahl and Vega be added as co-authors to S.F. No. 143. The motion prevailed.

Mr. Peterson, C.C. moved that the name of Mr. Spear be added as a co-author to S.F. No. 147. The motion prevailed.

Messrs. Pogemiller, Pehler, Frank, Bertram and Waldorf introduced—

Senate Resolution No. 17: A Senate resolution recognizing the week of February 6 to 13 as Catholic Schools Week in the state of Minnesota.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D., by request, pursuant to Rule 62, introduced—

Senate Resolution No. 18: A Senate resolution relating to personnel; combining administration of Senate Counsel and Senate Research.

BE IT RESOLVED by the Senate:

1. Senate Counsel and Senate Research shall be under the direction of a single administrator. The current administrators, Larry Fredrickson, the Coordinator of Senate Counsel; Bill Riemerman, the Director of Senate Research; and Bob Lacy, the Assistant Director of Senate Research are relieved of their administrative duties and the salaries adjusted downward for Larry Fredrickson, \$37,861.45; for Bill Riemerman, \$41,197.55; for Bob Lacy, \$36,500.00, effective January 29, 1983.

2. Joe Graba is designated temporary administrator.

3. The search for a new director will begin immediately.

4. Senate Counsel office organization memo dated August 1978 is no longer in effect.

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 37 and nays 24, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Lantry	Peterson, C.C.	Solon
Berglin	Dieterich	Lessard	Peterson, D.C.	Stumpf
Bertram	Freeman	Luther	Peterson, R.W.	Vega
Chmielewski	Hughes	Moe, D. M.	Pogemiller	Waldorf
Dahl	Johnson, D.J.	Moe, R. D.	Purfeerst	Willet
Davis	Jude	Nelson	Reichgott	
DeCramer	Kroening	Novak	Samuelson	
Dicklich	Langseth	Pehler	Schmitz	

Those who voted in the negative were:

Anderson	Brataas	Kamrath	Mehrkens	Sieloff
Belanger	Frederick	Knaak	Olson	Storm
Benson	Frederickson	Knutsen	Peterson, D.L.	Taylor
Berg	Isackson	Kronebusch	Ramstad	Ulland
Bernhagen	Johnson, D.E.	McQuaid	Renneke	

The motion prevailed. So the resolution was adopted.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 25, 1983

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment as Director of Consumer Services, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Anton Perpich, 4363 Scout Camp Lane, Eveleth, St. Louis County, has been appointed by me, effective January 3, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Economic Development and Commerce.)

Sincerely,

Rudy Perpich, Governor

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. No. 71, which the committee recommends to pass.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S.F. No. 148: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to extend timber permits; amending Laws 1981, chapter 305, section 11, as amended.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther; Moe, R.D.; Ms. Berglin; Messrs. Samuelson and Kroening introduced—

S.F. No. 149: A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1982, sections 62E.52, subdivisions 2 and 3; 62E.53, subdivisions 1 and 2; and 62E.531, subdivision 2.

Referred to the Committee on Health and Human Services.

Ms. Peterson, D.C.; Mr. Chmielewski and Mrs. Adkins introduced—

S.F. No. 150: A bill for an act relating to veterans affairs; providing residents of the Minnesota veterans home with a right to complain about home accommodations and services; prohibiting retaliatory eviction of residents who exercise their right to complain; proposing new law coded in Minnesota Statutes, chapter 198.

Referred to the Committee on Veterans and General Legislation.

Ms. Peterson, D.C.; Messrs. Chmielewski; Ramstad and Mrs. Adkins introduced—

S.F. No. 151: A bill for an act relating to veterans affairs; prohibiting searches at the Minnesota veterans home except under criminal warrant; proposing new law coded in Minnesota Statutes, chapter 198.

Referred to the Committee on Veterans and General Legislation.

Messrs. Knaak, Storm, Sieloff, Ms. Reichgott and Mr. Freeman introduced—

S.F. No. 152: A bill for an act relating to conciliation courts; eliminating certain obsolete provisions; amending Minnesota Statutes 1982, section 491.06, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Willet introduced—

S.F. No. 153: A bill for an act relating to taxation; extending tax exemption to property held for future development by certain nonprofit organizations; amending Minnesota Statutes 1982, section 272.02, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S.F. No. 154: A bill for an act relating to workers' compensation; providing for continuation of group accident and health insurance eligibility for injured employees and dependents; amending Minnesota Statutes 1982, sections 62A.10, subdivision 1; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 176.101, by adding a subdivision; and 176.111, by adding a subdivision.

Referred to the Committee on Employment.

Messrs. Davis, Pehler, Ms. Berglin and Mr. Solon introduced—

S.F. No. 155: A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1982, sections 62E.52, subdivisions 2 and 3; 62E.53, subdivisions 1 and 2; 62E.531, subdivision 2; 62E.54, by adding a subdivision; and 256.98; proposing new law coded in Minnesota Statutes, chapter 62E.

Referred to the Committee on Health and Human Services.

Ms. Reichgott; Messrs. Nelson; Pehler; Peterson, D.L. and Ramstad introduced—

S.F. No. 156: A bill for an act relating to education; providing for active military service to be counted toward the number of years required to be eligible for the teacher early retirement incentive program; extending the date of application to March 1, 1983, for certain individuals; requiring expeditious processing of certain applications in 1983; amending Minnesota Statutes 1982, section 125.611, subdivision 1.

Referred to the Committee on Education.

Messrs. Bertram, Chmielewski and Isackson introduced—

S.F. No. 157: A bill for an act relating to holidays; regulating the date for celebration of Memorial Day; amending Minnesota Statutes 1982, sections 465.50; and 645.44, subdivision 5.

Referred to the Committee on Veterans and General Legislation.

Mr. Lessard introduced—

S.F. No. 158: A bill for an act relating to elections; changing reporting requirements for certain candidates; clarifying certain duties of the ethical practices board; amending Minnesota Statutes 1982, sections 10A.02, by adding a subdivision; and 10A.20, subdivision 3.

Referred to the Committee on Elections and Ethics.

Messrs. Samuelson; Johnson, D.J.; Dahl; Renneke and Moe, R.D. introduced—

S.F. No. 159: A bill for an act relating to occupations and professions; regulating chiropractic practice; providing rulemaking authority for the board of chiropractic examiners; amending Minnesota Statutes 1982, sections 148.01; 148.06; and 148.08, and by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, C.C.; Moe, D.M.; Renneke; Frederickson and Spear introduced—

S.F. No. 160: A bill for an act relating to retirement; volunteer firefighters' relief associations; adding definitions; clarifying ambiguous language; amending Minnesota Statutes 1982, sections 424A.01; 424A.02; 424A.04;

424A.05; and 424A.08; proposing new law coded in Minnesota Statutes, chapter 424A.

Referred to the Committee on Governmental Operations.

Messrs. Spear, Pogemiller, Ms. Berglin, Mr. Petty and Ms. Peterson, D.C. introduced—

S.F. No. 161: A bill for an act relating to the city of Minneapolis; changing the position of cable communications officer to the unclassified service; amending Laws 1969, chapter 937, section 1, subdivision 9, as amended.

Referred to the Committee on Local and Urban Government.

Messrs. Dicklich, Stumpf and Johnson, D.J. introduced—

S.F. No. 162: A bill for an act relating to taxes; providing for the income tax treatment of certain losses attributable to farming; amending Minnesota Statutes 1982, section 290.09, subdivision 29.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Petty, Dahl, Solon and Sieloff introduced—

S.F. No. 163: A bill for an act relating to insurance; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1982, section 61A.03; proposing new law coded in Minnesota Statutes, chapter 72A.

Referred to the Committee on Economic Development and Commerce.

Mr. Moe, D.M., for the Committee on Governmental Operations, introduced—

S.F. No. 164: A bill for an act relating to state government; removing the requirement of senate confirmation for appointment to certain state agencies; limiting terms of certain holdover appointees; requiring senate confirmation of commissioner appointees within a certain time period; formulating a procedure for senate and house confirmations; changing a time requirement for filing a statement of economic interest in certain cases; amending Minnesota Statutes 1982, sections 1.33; 3.9223, subdivision 1; 10A.09, subdivisions 1 and 3; 11A.07, subdivision 3; 14.48; 15.0575, subdivision 2; 15.0597, subdivision 6; 15.06, subdivisions 2 and 5; 15.50, subdivision 1; 16.823, subdivision 2; 40.03, subdivision 1; 85A.01, subdivision 1; 105.401, subdivision 1; 115A.05, subdivision 2; 116E.02, subdivision 1; 116J.04; 121.82, subdivision 1; 121.844, subdivision 1; 182.664, subdivision 1; 250.05, subdivision 2; 299B.05, subdivision 1; 414.01, subdivision 2; 473.123, subdivision 4; 473.141, subdivision 3; 490.15, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 15.

Under the rules of the Senate, laid over one day. Mr. Ulland questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Renneke, Schmitz and Bernhagen introduced—

S.F. No. 165: A bill for an act relating to the environment; suspending site selection procedures of the waste management board and the pollution control agency until the board adopts a hazardous waste management plan; proposing new law coded in Minnesota Statutes, chapter 115A.

Referred to the Committee on Agriculture and Natural Resources.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, February 7, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate