

FIFTEENTH DAY

St. Paul, Minnesota, Tuesday, February 15, 1983

The Senate met at 11:30 a.m. and was called to order by the President.

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

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

Mr. Peterson, R.W. was excused from the Session of today.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Lessard from the Committee on Veterans and General Legislation, to which was re-referred

S.F. No. 85: A bill for an act relating to taxation; providing a property tax credit to certain veterans awarded the congressional medal of honor; appropriating money; proposing new law coded in Minnesota Statutes, chapter 273.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Vega from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for January 31, 1983:

MINNESOTA HOUSING FINANCE AGENCY
EXECUTIVE DIRECTOR

James J. Solem

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Knutson moved that his name be stricken as a co-author to S.F. No. 15. The motion prevailed.

Mr. Kroening moved that the name of Mr. Vega be added as a co-author to S.F. No. 206. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Ulland be added as a co-author to S.F. No. 255. The motion prevailed.

Mr. Solon moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 273. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Dahl be added as a co-author to S.F. No. 274. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 7: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

1. Upon its adjournment on Thursday, February 17, 1983, the Senate may set its next day of meeting for Tuesday, February 22, 1983.

2. Upon its adjournment on Thursday, February 17, 1983, the House of Representatives may set its next day of meeting for Tuesday, February 22, 1983.

3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consent to the adjournment of the other for more than three days.

Mr. Moe, R.D. 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.

Messrs. Nelson; Merriam; Pehler; Moe, D.M. and Peterson, R.W. introduced—

S.F. No. 289: A bill for an act relating to education; transferring authority for appointing the commissioner of education from the state board of education to the governor; amending Minnesota Statutes 1982, section 121.16.

Referred to the Committee on Education.

Messrs. DeCramer and Isackson introduced—

S.F. No. 290: A bill for an act relating to education; requiring that interest be paid on certain aid payments delayed by the commissioner of education; appropriating money; amending Laws 1982, Third Special Session chapter 1, article III, section 8.

Referred to the Committee on Education.

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

S.F. No. 291: A bill for an act relating to economic development; providing for job training and related services; appropriating money; proposing new law coded in Minnesota Statutes, chapter 268.

Referred to the Committee on Economic Development and Commerce.

Messrs. Luther; Spear; Peterson, R.W.; Ms. Reichgott and Mr. Ramstad introduced—

S.F. No. 292: A bill for an act relating to public welfare; defining persons responsible for a child's care under the child abuse reporting law; amending Minnesota Statutes 1982, section 626.556, subdivisions 2 and 7.

Referred to the Committee on Judiciary.

Messrs. Dicklich and Schmitz introduced—

S.F. No. 293: A bill for an act relating to recreation; extending protection from liability for recreational use of land to the state, governmental units, and nonprofit corporations; amending Minnesota Statutes 1982, sections 87.01; and 87.021, subdivisions 2 and 3.

Referred to the Committee on Judiciary.

Messrs. Frederickson; Peterson, C.C.; Schmitz; Petty and Renneke introduced—

S.F. No. 294: A bill for an act relating to retirement; police and salaried firefighters relief associations; modifying the governance of the trust funds after the local relief association ceases to exist; amending Minnesota Statutes 1982, section 423A.01, subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Laidig introduced—

S.F. No. 295: A bill for an act relating to insurance; health and accident;

requiring coverage for the procedure of in vitro fertilization; proposing new law coded in Minnesota Statutes, chapter 62A.

Referred to the Committee on Health and Human Services.

Mr. Dicklich introduced—

S.F. No. 296: A bill for an act relating to insurance; rate regulation; providing regulation of certain health and accident insurance; amending Minnesota Statutes 1982, sections 70A.02; and 70A.03; repealing Minnesota Statutes 1982, section 62A.02.

Referred to the Committee on Economic Development and Commerce.

Messrs. Petty, Dicklich, Mses. Reichgott, Berglin and Mrs. Kronebusch introduced—

S.F. No. 297: A bill for an act relating to criminal justice; requiring peace officers to make arrests based on probable cause in cases of domestic assault; requiring peace officers to notify victims of domestic assault of the legal remedies available; amending Minnesota Statutes 1982, section 629.341, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Dicklich introduced—

S.F. No. 298: A bill for an act relating to public utilities; limiting a gas utility's discretion to discontinue service to residential customers; proposing new law coded in Minnesota Statutes, chapter 216B.

Referred to the Committee on Public Utilities and State Regulated Industries. Mr. Vega questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Pogemiller, Ms. Reichgott and Mr. Spear introduced—

S.F. No. 299: A bill for an act relating to crimes; prohibiting the selling of children; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 300: A bill for an act relating to crimes; providing for degrees of the crime of burglary; providing penalties; amending Minnesota Statutes 1982, section 609.585; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, section 609.58.

Referred to the Committee on Judiciary.

Messrs. Renneke and Chmielewski introduced—

S.F. No. 301: A bill for an act relating to the environment; requiring mandatory minimum jail sentences for persons convicted of violating laws

or rules relating to hazardous waste disposal; providing that unlawful disposal of hazardous wastes is a felony; prescribing penalties; amending Minnesota Statutes, section 115.071, subdivision 2, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Lantry, Ms. Peterson, D.C. and Mr. Luther introduced—

S.F. No. 302: A bill for an act relating to juveniles; authorizing juvenile courts to release information about certain delinquency adjudications and dispositions; amending Minnesota Statutes 1982, section 260.161, subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Renneke, Schmitz and Bernhagen introduced—

S.F. No. 303: A bill for an act relating to the environment; prohibiting the use of eminent domain proceedings for acquiring land and property rights for hazardous waste facility sites; amending Minnesota Statutes 1982, section 115A.06, subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ramstad, Solon, Petty, Benson and Mrs. Lantry introduced—

S.F. No. 304: A bill for an act relating to occupations and professions; regulating athletic trainers; providing penalties; proposing new law coded in Minnesota Statutes, chapter 148.

Referred to the Committee on Economic Development and Commerce. Ms. Berglin questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Dahl, Pogemiller, Mrs. Brataas and Mr. Spear introduced—

S.F. No. 305: A bill for an act relating to civil actions; authorizing pledges and members of student organizations to maintain actions for self-damages; proposing new law coded in Minnesota Statutes, chapter 127.

Referred to the Committee on Judiciary.

Messrs. Dahl, Petty, Wegscheid, Belanger and Solon introduced—

S.F. No. 306: A bill for an act relating to financial institutions; providing that Small Business Administration guaranteed loans are collateral for public deposits; amending Minnesota Statutes 1982, section 118.01, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Messrs. Renneke, Schmitz, Bernhagen and Stumpf introduced—

S.F. No. 307: A bill for an act relating to the environment; requiring legislative concurrence in any finding by the waste management board that

certain hazardous waste management techniques are insufficient for the state; amending Minnesota Statutes 1982, section 115A.24, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Reichgott, Messrs. Merriam, Jude, Knutson and Kroening introduced—

S.F. No. 308: A bill for an act relating to courts; providing for the appeal of various matters to the court of appeals; providing for the manner of election of court of appeals judges; amending Minnesota Statutes 1982, sections 2.724, subdivision 2; 3.737, subdivision 4; 3.751, subdivision 4; 5.08, subdivision 2; 10A.01, subdivisions 5 and 19; 14.44; 14.45; 14.62, subdivision 2; 14.63; 14.64; 14.65; 14.68; 14.70; 15A.18; 16.863; 25.43, subdivision 5; 32A.09, subdivision 5; 43A.02, subdivision 25; 43A.24, subdivision 2; 43A.27, subdivision 4; 44.09, subdivision 3; 45.07; 45.17, subdivision 5; 47.54, subdivision 5; 49.18; 56.23; 60A.05; 60A.15, subdivisions 11 and 12; 72A.27; 84.59; 88.78; 97.481, subdivision 2; 97.50, subdivision 6; 105.462; 106.631, subdivisions 5 and 6; 110A.36; 111.42; 112.82, subdivisions 1 and 2; 114.13, subdivision 4; 115.49, subdivision 5; 116.07, subdivision 7; 116.11; 116A.19, subdivision 4; 116C.65; 120.17, subdivision 3b; 122.23, subdivision 16c; 123.32, subdivision 25; 127.25, subdivision 3; 127.33; 141.29, subdivision 2; 145.698, subdivision 2; 155A.11, subdivision 2; 156A.071, subdivision 9; 161.34, subdivision 4; 168.68; 169.123, subdivision 7; 177.29, subdivision 2; 178.09, subdivision 2; 179.64, subdivision 5; 179.741, subdivision 3; 181A.10, subdivision 2; 185.15; 192A.255, subdivision 1; 197.481, subdivision 6; 204B.06, subdivisions 4 and 6; 204B.11, subdivision 1; 204B.34, subdivision 3; 204B.36, subdivision 4; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.11, subdivision 1; 209.09; 210A.01, subdivision 3; 216.25; 216B.52, subdivision 5; 231.33; 237.20; 237.25; 237.27; 237.39; 244.11; 246.55; 252A.21, subdivision 1; 253B.19, subdivision 5; 253B.23, subdivision 7; 256.045, subdivisions 9 and 10; 259.32; 260.291, subdivision 2; 268.06, subdivision 20; 268.10, subdivision 8; 268.12, subdivision 13; 270.22; 270.23; 270.26; 270.68, subdivision 2; 273.16; 279.21; 282.01, subdivision 3; 290.48, subdivision 6; 290.92, subdivision 6; 294.09, subdivision 3; 297.08, subdivisions 3 and 4; 297A.15, subdivision 4; 298.09, subdivision 3; 299F.25; 299F.26, subdivision 3; 327B.05, subdivision 2; 340.404, subdivision 7; 340.54, subdivision 2; 351.03; 352.01, subdivision 2B; 352D.02, subdivision 1; 357.07; 357.08; 363.072, subdivisions 1 and 2; 373.11; 375.67, subdivision 3; 387.41; 412.092, subdivision 1; 414.07, subdivision 2; 414.08; 419.12; 420.13; 430.03; 430.031, subdivision 4; 462.14, subdivision 12; 462.715; 465.43; 473.675, subdivision 4; 480.054; 480.055, subdivision 1; 480.061, subdivision 8; 480.062; 480.07; 480.19; 480A.06, subdivision 1; 481.02, subdivisions 3 and 6; 482.07, subdivision 8; 485.16; 487.39; 488A.01, subdivision 14; 488A.17, subdivision 12; 488A.18, subdivision 14; 488A.34, subdivision 11; 501.35; 508.29; 508A.29; 525.71; 525.714; 525.73; 548.29, subdivision 2; 558.215; 562.04; 571.64; 574.18; 582.11; 586.09; 586.11; 586.12; 589.02; 589.29; 589.30; 590.01, subdivision 1; 590.04, subdivision 3; 590.06; 595.024, subdivision 3; 595.025, subdivision 3; 609.39; 611.07, subdivisions 2 and 3; 611.071, subdivisions 1 and 2; 611.14; 611.18;

611.25; and 648.39, subdivision 1; repealing Minnesota Statutes 1982, sections 80A.24, subdivision 3; 363.10; 484.63; 525.711; 525.74; and Laws 1982, chapter 501, sections 17, 18, 19, and 25.

Referred to the Committee on Judiciary.

Messrs. Renneke, Schmitz and Bernhagen introduced—

S.F. No. 309: A bill for an act relating to the waste management board; removing the board's exemption from the Administrative Procedure Act for certain activities; suspending those activities of the board pending rule adoption; requiring the board to repeat the activities after rules are adopted; appropriating money; amending Minnesota Statutes 1982, sections 115A.09, subdivisions 2 and 3; 115A.11, subdivision 2; 115A.20; 115A.21, subdivisions 2 and 3; 115A.27, subdivision 2; 115A.28, subdivision 2; 115A.35; 115A.37, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Moe, D.M.; Wegscheid and Peterson, C.C. introduced—

S.F. No. 310: A bill for an act relating to retirement; establishing a uniform defined contribution public employee retirement plan; proposing new law coded as Minnesota Statutes, chapter 356A.

Referred to the Committee on Governmental Operations.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 10:00 a.m., Thursday, February 17, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate