

THIRD DAY

St. Paul, Minnesota, Monday, January 14, 1985

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

Prayer was offered by the Chaplain, Rev. Joseph C. Kremer.

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

Adkins	Diessner	Kronebusch	Nelson	Schmitz
Anderson	Frank	Laidig	Novak	Sieloff
Benson	Frederick	Langseth	Olson	Spear
Berg	Frederickson	Lantry	Pehler	Stumpf
Berglin	Freeman	Lessard	Peterson, D.C.	Taylor
Bernhagen	Johnson, D.E.	Luther	Peterson, R.W.	Wegscheid
Bertram	Johnson, D.J.	McQuaid	Petty	Willet
Chmielewski	Jude	Mehrkens	Pogemiller	
Dahl	Knaak	Merriam	Purfeerst	
DeCramer	Knutson	Moe, D.M.	Reichgott	
Dicklich	Kroening	Moe, R.D.	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. Belanger; Davis; Dieterich; Isackson; Kamrath; Peterson, C.C.; Ramstad; Samuelson; Solon; Storm and Mrs. Brataas were excused from the Session of today.

REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1984 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Department of Energy, Planning and Development, Report on Small Business Procurement, Minnesota Set-Aside Program, 1983; Department of Natural Resources, Acquisition of Private Dams, 1984; Minnesota Racing Commission, Annual Report, 1983; Minnesota Medical Association, Minority Report of the Joint Legislative Study Commission on the Utilization of Venipuncture, 1984; Department of Administration, Supplement to the Survey on the Asbestos containing materials in State Buildings, 1984; Department of Education, Minnesota State High School League, 1984; Department of Public Welfare, Reports and Statistics, Supplemental

Aid Program, Annual Report, 1983; Department of Public Welfare, Bureau of Income Maintenance, Reports and Statistics, General Assistance Annual Report, 1983; Southwest Regional Development Commission, Overall Work Program for Fiscal Year 1985; Minnesota State Board of Chiropractic Examiners, July 1, 1982 to June 30, 1984; Minnesota Board of Examiners for Nursing Home Administrators, July 1, 1982 to June 30, 1984; Minnesota Board of Peace Officer Standards and Training, July 1, 1982 to June 30, 1984; Minnesota State Board of Electricity, July 1, 1982 to June 30, 1984; Minnesota Board of Pharmacy, July 1, 1982 to June 30, 1984; Minnesota Board of Architecture, Engineering, Land Surveying and Landscape Architecture, July 1, 1982 to June 30, 1984; Minnesota Board of Optometry, July 1, 1982 to June 30, 1984; Minnesota Board of Boxing, July 1, 1982 to June 30, 1984; Minnesota Board of Podiatry, July 1, 1982 to June 30, 1984; Mortuary Science Advisory Council, July 1, 1982 to June 30, 1984; Metropolitan Sports Facilities Commission, Small Business Procurement, 1983; Northwest Regional Development Commission, Annual Report, 1984; Minnesota Department of Health, Task Force on Registration of Environmental Health Specialists/Sanitaricians, July 1, 1982 to June 30, 1984; Southwest Regional Development Commission, Annual Report, 1984; Minnesota Board of Medical Examiners, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Board of Assessors, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Board of Teaching, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Board of Psychology, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Board of Veterinary Medicine, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Board of Private Detective and Protective Agent Services, Biennial Report, July 1, 1982 to June 30, 1984; Minnesota Ethical Practices Board, Annual Report, July 1, 1983 to June 30, 1984; Minnesota Board of Nursing, Biennial Report, July 1, 1982 to June 30, 1984; University of Minnesota, Annual Report, 1984; Legislative Commission on Minnesota Resources, Biennial Report, 1984; Department of Human Rights, Biennial Report, 1983-84; Indian Affairs Council, Annual Report, 1984; Minnesota Supreme Court, Report to the Legislature by Court Administrator, 1984; Department of Education, Minnesota Multi-county Multi-type Library Cooperation Program, 1984; Department of Education, Minnesota Public Library Development Program, 1984; Department of Corrections, Biennial Report, 1983-84; Department of Energy and Economic Development, Targeted Small Business Report, July 1, 1983 to June 30, 1984.

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. 1: A Senate concurrent resolution relating to the adoption of temporary joint rules.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 10, 1985

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. 2: A Senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 10, 1985

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. 3: A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 10, 1985

MOTIONS AND RESOLUTIONS

Mr. Purfeerst moved that the names of Messrs. Knaak, Willet and Johnson, D.J. be added as co-authors to S.F. No. 1. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Anderson be added as a co-author to S.F. No. 2. The motion prevailed.

Mr. Purfeerst moved that the names of Messrs. Stumpf, Lessard, Dahl and Benson be added as co-authors to S.F. No. 3. The motion prevailed.

Mr. Frederick moved that the name of Mr. Anderson be added as a co-author to S.F. No. 4. The motion prevailed.

Mr. Diessner moved that the name of Mr. Frank be added as a co-author to S.F. No. 8. The motion prevailed.

Mr. Diessner moved that the name of Mr. Frank be added as a co-author to S.F. No. 14. The motion prevailed.

Mr. Diessner moved that the name of Mr. Frank be added as a co-author to S.F. No. 15. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Frank be added as a co-author to S.F. No. 30. The motion prevailed.

Mr. Pogemiller moved that the names of Messrs. Luther, Dahl and Wegscheid be added as co-authors to S.F. No. 33. The motion prevailed.

Mr. Diessner moved that the name of Mr. Dahl be added as a co-author to S.F. No. 36. The motion prevailed.

Mr. Diessner moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 39. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Frank be added as a co-author to S.F. No. 41. The motion prevailed.

Mr. Langseth moved that the names of Messrs. Lessard and Wegscheid be added as co-authors to S.F. No. 42. The motion prevailed.

Mr. DeCramer moved that the name of Mr. Peterson, C.C. be added as a co-author to S.F. No. 53. The motion prevailed.

Mr. Davis moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 54. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Johnson, D.J.; Moe, R.D.; Peterson, C.C.; Novak and Ms. Berglin introduced—

S.F. No. 56: A bill for an act relating to finance; adopting federal taxable income for income tax purposes; simplifying income tax law; increasing the budget reserve account; amending Minnesota Statutes 1984, sections 10A.31, subdivisions 1 and 3; 13.04, subdivision 2; 16A.15, subdivision 6; 41.55; 117.55; 270.68, subdivision 4; 290.01, subdivisions 19, 20, 20a, 20b, and 20d; 290.032, subdivision 2; 290.05, subdivision 3; 290.06, subdivisions 2c, 2d, and 3f; 290.068, subdivisions 1, 3, and 4; 290.069, subdivisions 4b, 5, 6, and 7; 290.08, subdivision 1; 290.09, subdivisions 1 and 7; 290.091; 290.095, subdivisions 7, 9, and 11; 290.10; 290.12, subdivisions 1 and 2; 290.14; 290.16, subdivision 1a; 290.23, subdivisions 3 and 5; 290.311, subdivision 1; 290.37, subdivisions 1 and 3; 290.38; 290.41, subdivision 2; 290.46; 290.49, subdivision 10; 290.50, subdivisions 5 and 6; 290.92, subdivisions 2a, 5, 18, 19, and 21; 290.93, subdivision 10; 290.9726, subdivision 1; 290.974; 290A.03, subdivision 3; repealing Minnesota Statutes 1984, sections 10A.32, subdivision 3b; 41.58, subdivision 3; 41.59, subdivisions 2 and 3; 62E.03, subdivision 2; 290.01, subdivisions 20c, 20f, and 26; 290.012; 290.06, subdivisions 2f, 3d, 3e, 3g, 11, 14, 16, 17, 18, and 19; 290.067; 290.069, subdivisions 4 and 4a; 290.077, subdivision 4; 290.08, subdivisions 23, 24, and 26; 290.088; 290.089; 290.09, subdivision 29; 290.101; 290.17, subdivision 1a; 290.18, subdivisions 2 and 4; 290.39, subdivisions 1a and 2; 290.41, subdivision 5; 290.9726, subdivisions 5 and 6; and Laws 1982, chapter 523, article 7, section 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Samuelson introduced—

S.F. No. 57: A bill for an act relating to school districts; changing the qualifying percentage of agricultural valuation for minimum aid from 60 to 55; amending Minnesota Statutes 1984, section 124A.02, subdivision 12.

Referred to the Committee on Education.

Messrs. Bertram, Stumpf and Davis introduced—

S.F. No. 58: A bill for an act relating to agriculture; deducting interest income from the gross income of state and national banks for certain loans to beginning farmers; providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20a and 20b; 290.361, subdivi-

sion 2; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Mehrkens introduced—

S.F. No. 59: A bill for an act relating to agriculture; providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20a and 20b; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegscheid introduced—

S.F. No. 60: A bill for an act relating to game and fish; public safety; requiring certain persons to complete firearm safety instruction as condition for target practice or hunting with firearms; amending Minnesota Statutes 1984, section 97.83, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegscheid introduced—

S.F. No. 61: A bill for an act relating to liens; establishing the priority of possessory liens on personal property; amending Minnesota Statutes 1984, section 514.18, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Moe, R.D. and Peterson, C.C. introduced—

S.F. No. 62: A bill for an act relating to public welfare; providing for state payment of the entire nonfederal share of the cost of certain assistance programs for members of the White Earth Indian Reservation; amending Minnesota Statutes 1984, section 256.965.

Referred to the Committee on Health and Human Services.

Mr. Peterson, C.C. introduced—

S.F. No. 63: A bill for an act relating to the city of Fergus Falls; granting the city the powers of a port authority; requiring local approval.

Referred to the Committee on Local and Urban Government.

Mr. Lessard introduced—

S.F. No. 64: A bill for an act relating to local government; establishing a procedure to consolidate the cities of International Falls and South International Falls; authorizing a special mill levy in the event of consolidation.

Referred to the Committee on Local and Urban Government.

Mr. Langseth introduced—

S.F. No. 65: A bill for an act relating to the town of Moorhead; allowing

the town certain powers.

Referred to the Committee on Local and Urban Government.

Messrs. Samuelson and Solon introduced—

S.F. No. 66: A bill for an act relating to retirement; providing permanent increases in monthly annuities or benefits payable to pre-1973 public employee retirees, disabilitants, and surviving spouses; appropriating funds; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Mr. Frank introduced—

S.F. No. 67: A bill for an act relating to communications; providing for membership on the telecommunications council; amending Minnesota Statutes 1984, section 16C.01, subdivision 2.

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

Mr. Chmielewski introduced—

S.F. No. 68: A bill for an act relating to health; concerning licensing; authorizing the cities of Duluth and Hermantown and the county of Carlton to make the determination of need for basic life support transportation service.

Referred to the Committee on Health and Human Services.

Mr. Chmielewski introduced—

S.F. No. 69: A bill for an act relating to transportation; redesignating portion of trunk highway; amending Minnesota Statutes 1984, section 161.14, subdivision 6.

Referred to the Committee on Veterans and General Legislation.

Messrs. Schmitz, Purfeerst and Renneke introduced—

S.F. No. 70: A bill for an act relating to real property; local and metropolitan government; transportation; providing for acquisition and relocation assistance in cases of hardship to owners of homestead property located in a proposed state highway corridor; amending Minnesota Statutes 1984, sections 117.52, by adding a subdivision; and 473.167, subdivision 2.

Referred to the Committee on Transportation.

Messrs. Schmitz, Purfeerst, DeCramer, Renneke and Stumpf introduced—

S.F. No. 71: A bill for an act relating to commerce; providing for payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases inventory; requiring the payment of interest on overdue accounts; amending Minnesota Statutes 1984, section 325E.06, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Mr. Benson introduced—

S.F. No. 72: A bill for an act relating to liquor; use of Minnesota grown grapes by farm wineries; amending Minnesota Statutes 1984, section 340.435.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Benson; Johnson, D.E.; Anderson; Frederickson and Belanger introduced—

S.F. No. 73: A bill for an act relating to education; changing the basic maintenance mill rate to 20 mills; amending Minnesota Statutes 1984, section 124A.02, subdivision 7.

Referred to the Committee on Education.

Messrs. Benson, Sieloff, Isackson, Laidig and Kamrath introduced—

S.F. No. 74: A bill for an act relating to taxation; income; abolishing the farm loss modifications; amending Minnesota Statutes 1984, sections 290.01, subdivisions 20a, 20b, and 20f; 290.05, subdivision 3; 290.09, subdivisions 1 and 7; 290.091; 290.095, subdivisions 7 and 11; 290A.03, subdivision 3; repealing Minnesota Statutes 1984, section 290.09, subdivision 29.

Referred to the Committee on Taxes and Tax Laws.

Mr. Benson, Mrs. Kronebusch, Messrs. Ramstad; Johnson, D.E. and Anderson introduced—

S.F. No. 75: A resolution memorializing Congress to call a constitutional convention to propose an amendment to the United States Constitution to require a balanced federal budget.

Referred to the Committee on Finance. Mr. Spear questioned the reference thereon and, under Rule 35, the resolution was referred to the Committee on Rules and Administration.

Mr. Frederickson introduced—

S.F. No. 76: A bill for an act relating to the city of New Ulm; authorizing payment of health insurance costs for certain retired police officers.

Referred to the Committee on Governmental Operations.

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

S.F. No. 77: A bill for an act relating to real property; providing that the mortgage and contract for deed moratorium become permanent law; applying moratorium to holders of any mortgage or contract for deed to homestead property; abolishing exclusionary provision; allowing mortgagor to petition for postponement of foreclosure sale for up to 12 months; abolishing sunset provision; amending Minnesota Statutes 1984, sections 47.20, subdivi-

sion 15; 559.21, subdivision 6; 580.031; 583.02; 583.03; 583.04; and Laws 1983, chapter 215, section 16, as amended.

Referred to the Committee on Judiciary.

Messrs. Chmielewski and Diessner introduced—

S.F. No. 78: A bill for an act relating to unemployment compensation; eliminating a state advisory council; repealing Minnesota Statutes 1984, section 268.12, subdivision 6.

Referred to the Committee on Employment.

Mr. Solon introduced—

S.F. No. 79: A bill for an act relating to elections; permitting employers to deduct pay from employees who take time off from work to vote; amending Minnesota Statutes 1984, section 204C.04.

Referred to the Committee on Elections and Ethics.

Mr. Solon introduced—

S.F. No. 80: A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1984, sections 2.021 and 2.031, subdivision 1.

Referred to the Committee on Elections and Ethics.

Messrs. Diessner, Schmitz and Laidig introduced—

S.F. No. 81: A bill for an act relating to Washington county; providing that condominium floor plans must be signed by county auditor to ensure no delinquent taxes are due and by the county treasurer to ensure that current taxes have been paid.

Referred to the Committee on Local and Urban Government.

Messrs. Diessner, Schmitz and Laidig introduced—

S.F. No. 82: A bill for an act relating to Washington county; providing for approval of condominium floor plans by the county surveyor; prescribing fees; amending Laws 1971, chapter 820, section 1.

Referred to the Committee on Local and Urban Government.

Messrs. Bertram; Peterson, C.C.; Johnson, D.J. and Benson introduced—

S.F. No. 83: A bill for an act relating to taxation; providing an exemption from sales tax for the gross receipts from sales of tangible personal property, admission charges, and sales of food, meals, or drinks at certain events sponsored by certain nonprofit organizations; amending Minnesota Statutes 1984, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Berg; Johnson, D.E. and Renneke introduced—

S.F. No. 84: A bill for an act relating to elections; regulating lobbyist and

candidate activities and contributions; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Elections and Ethics.

Messrs. Berg; Peterson C.C.; Peterson D.L.; DeCramer and Laidig introduced—

S.F. No. 85: A bill for an act relating to agriculture; declaring a public economic emergency to exist; prohibiting mortgage foreclosure sales for one year; prohibiting repossession, foreclosure sales, and foreclosure sales of agricultural personal property for one year; providing for an application to the court to allow foreclosure sales; prohibiting actions for deficiency judgments; providing for the parties to compromise; providing legal representation by the attorney general's office for certain persons; and repealing the act after one year.

Referred to the Committee on Agriculture and Natural Resources.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Thursday, January 17, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate