

FOURTH DAY

St. Paul, Minnesota, Thursday, January 17, 1985

The Senate met at 12:00 noon and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Thomas J. Nielsen.

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

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

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. Nelson was excused from the Session of today.

REPORTS OF COMMITTEES

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 54: A bill for an act relating to agriculture; providing a mechanism to aid restructuring existing farm loans; providing an interest reimbursement program to qualified banks; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 17D.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "[17D.01]"

Page 1, lines 10 and 11, delete "farm debt restructuring" and insert "agricultural credit initiative"

Page 1, line 12; delete "[17D.02]"

Page 1, line 24, delete "[17D.03]"

Page 2, line 8, delete "the"

Page 2, line 9, delete "and" and insert "or the"

Page 2, line 10, delete "[17D.04]"

Page 2, lines 12 and 19, delete "due for" and insert "attributable to"

Page 2, line 20, delete "an" and insert "the" and after "commissioner" insert "under section 5"

Page 2, line 23, delete "[17D.05]"

Page 2, line 26, delete "stop" and insert "suspend"

Page 2, line 36, after "submits" insert "to the farmers home administration"

Page 3, lines 6 and 7, delete "due on" and insert "attributable to"

Page 3, lines 7, 14, 16, 18, and 20, delete "loans" and insert "loan"

Page 3, line 15, delete "that" and insert "the"

Page 3, line 16, after "have" insert "the"

Page 3, line 18, delete "due for" and insert "attributable to"

Page 3, line 29, delete "[17D.06]"

Page 3, line 31, delete everything before "to"

Amend the title as follows:

Page 1, line 5, delete everything after "money" and insert a period

Page 1, delete line 6

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Mr. Merriam moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

MOTIONS AND RESOLUTIONS

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

Mr. Diessner moved that the names of Messrs. Ramstad and Purfeerst be added as co-authors to S.F. No. 5. The motion prevailed.

Mr. Diessner moved that the names of Messrs. Jude and Sieloff be added as co-authors to S.F. No. 7. The motion prevailed.

Mr. Diessner moved that the name of Mr. Knaak be added as a co-author to S.F. No. 32. The motion prevailed.

Mr. Samuelson moved that the names of Messrs. Wegscheid and Dahl be added as co-authors to S.F. No. 66. The motion prevailed.

Mr. Schmitz moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 70. The motion prevailed.

Mr. Bertram moved that the name of Mr. Jude be added as a co-author to S.F. No. 83. The motion prevailed.

Mr. Berg moved that the name of Mr. Merriam be added as a co-author to S.F. No. 84. The motion prevailed.

Ms. Berglin introduced—

Senate Concurrent Resolution No. 5: A Senate concurrent resolution commemorating the life and work of Martin Luther King, Jr.

WHEREAS, January 15 marks the anniversary of the birth of Martin Luther King, Jr.; and

WHEREAS, his life was devoted to the elimination of segregation and prejudice against his people; and

WHEREAS, he sought to fulfill his goals exclusively by nonviolent means; and

WHEREAS, his life and career were ended by assassination; and

WHEREAS, his life and work were typified by great personal sacrifice and devotion to the welfare of his fellow human beings; and

WHEREAS, the actions and efforts of Martin Luther King, Jr. have served as an inspiration to all the citizens of the State of Minnesota; and

WHEREAS, the State of Minnesota wishes to recognize the great achievements in human and civil rights that were accomplished, in great part, through the efforts of Martin Luther King, Jr.; NOW, THEREFORE,

BE IT RESOLVED by the Senate, the House of Representatives concurring, that the State of Minnesota recognizes the immense contributions of Martin Luther King, Jr. in creating a high quality of life for all citizens of this country regardless of race, creed, or color.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll this resolution, to be authenticated by his signature and those of the President, the Speaker of the House of Representatives, and the Chief Clerk of the House of Representatives, and that it be presented to the Commissioner of Administration and to Coretta Scott King.

Ms. Berglin moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Samuelson introduced—

Senate Concurrent Resolution No. 6: A Senate concurrent resolution adjourning the seventy-fourth legislature sine die at the end of the 1985 session.

Referred to the Committee on Rules and Administration.

Mr. Bernhagen introduced—

Senate Resolution No. 17: A Senate resolution congratulating the Tigers

from Hutchinson High School for winning the 1984 Class A State High School Football Championship.

Referred to the Committee on Rules and Administration.

Mr. DeCramer introduced—

Senate Resolution No. 18: A Senate resolution requesting the Farmers Home Administration to amend proposed rules.

Referred to the Committee on Agriculture and Natural Resources.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. 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. Wegscheid and Bertram introduced—

S.F. No. 86: A bill for an act relating to agriculture; changing requirements for certain adulterated milk or cream; providing a penalty; amending Minnesota Statutes 1984, section 32.21.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegscheid, Bertram, DeCramer and Berg introduced—

S.F. No. 87: A bill for an act relating to agriculture; changing requirements for state livestock weighing services; removing the limitation on certain fees; amending Minnesota Statutes 1984, sections 17A.10, subdivision 2; and 17A.11.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegscheid introduced—

S.F. No. 88: A bill for an act relating to agriculture; providing for establishment of certain fees by rule; changing certain fees and procedures; appropriating money; amending Minnesota Statutes 1984, sections 17.714, subdivision 1; 17.715, subdivision 1; 17.717, subdivision 1; 17.718, subdivision 1; 17.725, subdivision 2; 25.39; and 25.40, subdivision 1; repealing Minnesota Statutes 1984, section 17.717, subdivisions 3, 4, 5, and 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegscheid, Stumpf, DeCramer, Frederickson and Bernhagen introduced—

S.F. No. 89: A resolution memorializing the President and Congress of the United States to adopt legislation requiring that all milk sold in the United States contain a higher minimum level of nonfat milk solids.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Laidig, Lessard and Isackson introduced—

S.F. No. 90: A resolution memorializing 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.

Referred to the Committee on Veterans and General Legislation.

Mr. Nelson introduced—

S.F. No. 91: A bill for an act relating to state government; ratifying certain salaries approved by the legislative commission on employee relations.

Referred to the Committee on Governmental Operations.

Mr. Bertram introduced—

S.F. No. 92: A bill for an act relating to public safety; providing for use of a portion of the proceeds of the tobacco tax; appropriating money; amending Minnesota Statutes 1984, section 297.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 297.

Referred to the Committee on Veterans and General Legislation.

Messrs. Lessard, DeCramer and Bertram introduced—

S.F. No. 93: A bill for an act relating to veterans; authorizing certain American Legion officers and employees to elect state employee benefit coverage at their own expense; amending Minnesota Statutes 1984, section 43A.27, subdivision 2.

Referred to the Committee on Veterans and General Legislation.

Mrs. Lantry, Mr. Kroening, Ms. Berglin, Messrs. Taylor and Frank introduced—

S.F. No. 94: A bill for an act relating to state government; providing for the status of seasonal employees of the department of revenue; amending Minnesota Statutes 1984, sections 43A.08, subdivision 1; and 43A.081, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Mr. Frank, Mrs. Lantry and Mr. Dahl introduced—

S.F. No. 95: A bill for an act relating to game and fish; allowing senior citizens to take small game and deer without licenses; amending Minnesota Statutes 1984, section 98.47, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Frank, Mrs. Lantry, Messrs. Johnson, D.J. and Dicklich introduced—

S.F. No. 96: A bill for an act relating to health; establishing a system for

the provision of health care services for unemployed workers; proposing coding for new law as Minnesota Statutes, chapter 621.

Referred to the Committee on Health and Human Services.

Mr. Frank and Mrs. Lantry introduced—

S.F. No. 97: A bill for an act relating to human services; expanding the definition of mentally retarded person; requiring the commissioner of human services to include autistic children and adults in programs; amending Minnesota Statutes 1984, section 252A.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 252A.

Referred to the Committee on Health and Human Services.

Mr. Frank introduced—

S.F. No. 98: A bill for an act relating to Independent School District Number 14, Fridley; allowing it to deposit certain excess proceeds from the sale of a building into the general fund.

Referred to the Committee on Education.

Mr. Jude, Mrs. McQuaid, Ms. Olson, Messrs. Merriam and Schmitz introduced—

S.F. No. 99: A bill for an act relating to Hennepin county; providing for the election of the park reserve district board; amending Laws 1979, chapter 288, section 2, subdivision 1; repealing Laws 1979, chapter 288, section 2, subdivisions 2, 3, and 4; and section 3.

Referred to the Committee on Local and Urban Government.

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

S.F. No. 100: A bill for an act relating to taxation; income; adopting federal changes relating to interest on mortgage subsidy bonds; amending Minnesota Statutes 1984, section 290.01, subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. DeCramer introduced—

S.F. No. 101: A bill for an act relating to agriculture; changing certain soil and water conservation priorities; amending Minnesota Statutes 1984, sections 40.036, subdivision 1; and 40.038, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet, Lessard, Chmielewski, Bernhagen and Samuelson introduced—

S.F. No. 102: A bill for an act relating to natural resources; terms of payment in county timber sales; amending Minnesota Statutes 1984, section 282.04, subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Jude, Bertram, Frederick, Merriam and Berg introduced—

S.F. No. 103: A bill for an act relating to taxation; sales and use; exempting certain sales by nonprofit organizations; amending Minnesota Statutes 1984, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bertram introduced—

S.F. No. 104: A bill for an act relating to taxation; sales and use; exempting farm machinery; amending Minnesota Statutes 1984, sections 297A.01, subdivision 15; 297A.02, subdivision 2; 297A.14; and 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Jude, Mrs. Adkins, Messrs. Merriam, Benson and Schmitz introduced—

S.F. No. 105: 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. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Johnson, D.J. introduced—

S.F. No. 106: A bill for an act relating to the town of Tofte; authorizing the establishment of a detached banking facility.

Referred to the Committee on Economic Development and Commerce.

Messrs. Johnson, D.J.; Stumpf; Pehler; Berg and Dicklich introduced—

S.F. No. 107: A bill for an act relating to taxation; authorizing imposition of sales tax on lodging in towns and unorganized territories; amending Minnesota Statutes 1984, section 477A.018.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bertram introduced—

S.F. No. 108: A bill for an act relating to obscenity; prohibiting loaning or selling to minors, videocassettes and videodiscs of motion picture films which are harmful to minors; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 617.

Referred to the Committee on Judiciary.

Mr. Bertram introduced—

S.F. No. 109: A bill for an act relating to taxation; including replacement

parts in the definition of "farm machinery" for sales tax purposes; amending Minnesota Statutes 1984, section 297A.01, subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Kronebusch introduced—

S.F. No. 110: A bill for an act relating to game and fish; allowing one deer to be taken by each method of hunting in any year; amending Minnesota Statutes 1984, section 100.272.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Kronebusch, Messrs. Benson, Frederick, Kamrath and Isackson introduced—

S.F. No. 111: A bill for an act relating to taxation; sales; including replacement parts in the definition of farm machinery; amending Minnesota Statutes 1984, section 297A.01, subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Kronebusch introduced—

S.F. No. 112: A bill for an act relating to education; allowing financial aid after the time normally required to complete a bachelor's degree; amending Minnesota Statutes 1984, section 136A.121, subdivision 10.

Referred to the Committee on Education.

Mrs. Kronebusch introduced—

S.F. No. 113: A bill for an act relating to elections; authorizing certain municipalities to fix a later time for voting to begin; amending Minnesota Statutes 1984, section 204C.05, subdivision 1.

Referred to the Committee on Elections and Ethics.

Mr. Frank introduced—

S.F. No. 114: A bill for an act relating to taxation; income; conforming to federal treatment of contributions to individual retirement plans and certain other pension plans; amending Minnesota Statutes 1984, section 290.01, subdivisions 20a and 20b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Samuelson, Bertram, DeCramer, Berg and Lessard introduced—

S.F. No. 115: A bill for an act relating to motor vehicles; providing for free license plates for former prisoners of war; amending Minnesota Statutes 1984, section 168.125.

Referred to the Committee on Veterans and General Legislation.

Mr. Mehrkens introduced—

S.F. No. 116: A bill for an act relating to labor; creating an employees

social responsibility act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Messrs. Stumpf, Pehler, Hughes and Anderson introduced—

S.F. No. 117: A bill for an act relating to education; prohibiting a school district from commencing the school year prior to Labor Day; amending Minnesota Statutes 1984, section 126.12.

Referred to the Committee on Education.

Messrs. Nelson, Mehrkens, Pehler and Chmielewski introduced—

S.F. No. 118: A bill for an act relating to public employee labor relations; regulating public employee mediation; regulating mediation and strikes concerning teachers; providing for arbitration awards in principal and assistant principal disputes; amending Minnesota Statutes 1984, sections 179A.14, subdivision 1; 179A.15; 179A.16, subdivision 7; 179A.17, subdivision 1; 179A.18, subdivisions 2 and 3; and 179A.20, subdivision 3.

Referred to the Committee on Employment.

Messrs. Spear, Knutson, Moe, D.M. and Knaak introduced—

S.F. No. 119: A bill for an act relating to state government; creating the Council on Asian-Pacific Minnesotans; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Governmental Operations.

Mr. Samuelson introduced—

S.F. No. 120: A bill for an act relating to civil actions; repealing statutes authorizing and regulating dram shop actions; amending Minnesota Statutes 1984, sections 340.11, subdivision 21; 471.981, subdivision 1; and repealing Minnesota Statutes 1984, sections 340.95; 340.951; and 466.15.

Referred to the Committee on Judiciary.

Messrs. Peterson, C.C.; Stumpf; DeCramer; Berg and Frederickson introduced—

S.F. No. 121: A bill for an act relating to taxation; providing a property tax credit for agricultural property; reducing the assessment ratio on commercial-industrial property; increasing the income limitation in the farm loss modification provision; exempting sales of repair and replacement parts for farm machinery and liquidation sales of farm machinery from sales tax; amending Minnesota Statutes 1984, sections 273.13, subdivision 9; 290.09, subdivision 29; and 297A.25, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes and Tax Laws. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 122: A bill for an act relating to retirement; public employees retirement association; setting the salary range of the executive director; changing the membership of the board; providing qualifications for the executive director; requiring advice and consent of the senate for appointment of the executive director; providing that public employees retirement association is a state agency in the executive branch; defining the duties of the board; ending the terms of current board members; defining the duties of the executive director; amending Minnesota Statutes 1984, sections 15A.081, subdivision 1; 43A.02, subdivision 22; and 353.03, subdivisions 1, 1a, 2, 3, 3a, and 5; proposing coding for new law in Minnesota Statutes, chapter 353.

SUSPENSION OF RULES

Mr. Moe, D.M. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 122 and that the rules of the Senate be so far suspended as to give S.F. No. 122 its second reading. The motion prevailed.

S.F. No. 122 was read the second time.

Mr. Moe, D.M. moved to amend S.F. No. 122 as follows:

Page 3, delete section 2

Page 3, lines 27 to 29, delete the new language

Page 4, line 16, delete "*December 31, 1986*" and insert "*August 1, 1987*"

Page 8, line 16, after the comma, insert "*who shall serve in the unclassified service and*"

Page 8, line 17, after the second comma, insert "*appoint a confidential secretary in the unclassified service.*"

Page 8, line 19, reinstate the comma and insert "*whose terms and conditions of employment are subject to the provisions of chapters 43A and 179*"

Page 10, after line 8, insert:

"Sec. 9. [CURRENT EMPLOYEES.]

Employees of the association on the effective date of this act are appointed to the classified service of the state without competitive or qualifying examination. The commissioner of employee relations shall place the employees in the proper classifications. Each employee is appointed at no loss in salary, but no increase in salary until the employee's salary comes within the range for the employee's classification. An employee so appointed shall begin on the effective date of this act to serve a probationary period not to exceed six months, which the executive director may terminate earlier."

Page 10, line 13, delete everything after "*Section*" and insert "*353.03, subdivision 1, is repealed August 1, 1987.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, delete line 8

Page 1, line 9, delete everything before "defining"

Page 1, line 13, delete "43A.02, subdivision 22;"

The motion prevailed. So the amendment was adopted.

Mr. Moe, D.M. moved that S.F. No. 122 be laid on the table. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, January 21, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate