

## TENTH DAY

St. Paul, Minnesota, Monday, February 4, 1985

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Thurman Coss.

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

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

July 12, 1984

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

The following appointment as Chair of the Regional Transit Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Elliott Perovich, 863 River Ln., Anoka, Anoka County, has been ap-

pointed by me, effective July 17, 1984, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Transportation.)

Sincerely,  
Rudy Perpich, Governor

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Willet from the Committee on Finance, to which was referred

S.F. No. 223: A bill for an act relating to agriculture; finding legal assistance is needed for financially distressed farms; establishing a legal assistance program; providing requirements for persons receiving legal assistance; providing a grant to fund the legal assistance program; providing requirements for program applicants; requiring a report on the legal assistance program; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 41C.

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

Page 1, delete section 1

Page 2, line 10, delete "3" and insert "2"

Page 2, lines 21, 23 and 25, after "advocates" insert "employed by the commissioner of agriculture"

Page 2, line 35, delete "net" and insert "taxable"

Page 2, line 36, delete ", or" and insert "and"

Page 3, line 6, after the period, insert "The commissioner shall submit a summary report to the legislature by February 1 each year."

Page 3, line 8, after the dollar sign, insert "300,000"

Page 3, line 11, delete "1987" and insert "1985"

Page 3, after line 11, insert:

"Sec. 5. [EFFECTIVE DATE.]

*This act is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 7 and insert "relating to agriculture; establishing a program of legal assistance to financially distressed farmers; requiring a"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S.F. Nos. 105, 121, 184, 1, 28, 75, 167 and 220 reports the same back with the recommendation that the bills be re-referred as follows:

S.F. Nos. 105, 121 and 184 to the Committee on Agriculture and Natural Resources.

S.F. Nos. 1 and 28 to the Committee on Veterans and General Legislation.

S.F. Nos. 75 and 167 to the Committee on Finance.

S.F. No. 220 to the Committee on Economic Development and Commerce.

Report adopted.

### SECOND READING OF SENATE BILLS

S.F. No. 223 was read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Diessner moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 7. The motion prevailed.

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

Mr. Langseth moved that the name of Mr. DeCramer be added as a co-author to S.F. No. 43. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Peterson, C.C. be added as a co-author to S.F. No. 117. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Lessard be added as a co-author to S.F. No. 213. The motion prevailed.

Mr. Benson moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 240. The motion prevailed.

Mr. Pogemiller moved that the names of Mr. Petty, Ms. Reichgott, Messrs. Knaak and Sieloff be added as co-authors to S.F. No. 245. The motion prevailed.

Mrs. McQuaid moved that the name of Mr. Lessard be added as a co-author to S.F. No. 247. The motion prevailed.

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

Mr. Pehler moved that the name of Mr. Bertram be added as a co-author to S.F. No. 268. The motion prevailed.

Mr. Dicklich moved that the name of Ms. Berglin be added as a co-author to S.F. No. 290. The motion prevailed.

Mr. Frank moved that the name of Mr. Dahl be added as a co-author to S.F. No. 294. The motion prevailed.

Mr. Pehler introduced—

Senate Resolution No. 23: A Senate resolution recognizing the outstanding

Parents are Teachers program and Family Oriented Structured Preschool Activity program achievements at the St. Cloud Area Vocational Technical Institute.

Referred to the Committee on Rules and Administration.

Mr. Bernhagen introduced—

Senate Resolution No. 24: A Senate resolution recognizing the outstanding Automotive Technician program achievement at Hutchinson Area Vocational Technical Institute.

Referred to the Committee on Rules and Administration.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

### 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. 100, which the committee recommends to pass with the following amendment offered by Ms. Berglin:

Page 3, line 25, delete "for"

Page 3, line 26, delete everything before "at"

Page 3, line 34, delete "February 28, 1985" and insert "December 31, 1983"

The motion prevailed. So the amendment was adopted.

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. Petty, Solon, Kroening, Belanger and Kamrath introduced—

S.F. No. 302: A bill for an act relating to commerce; providing for deposits of public funds in thrift institutions; amending Minnesota Statutes 1984, section 118.005.

Referred to the Committee on Economic Development and Commerce.

Mr. Spear and Ms. Peterson, D.C. introduced—

S.F. No. 303: A bill for an act relating to the city of Minneapolis; permitting the establishment of special service districts in the city and providing taxing and other authority.

Referred to the Committee on Local and Urban Government.

Mr. DeCramer introduced—

S.F. No. 304: A bill for an act relating to transportation; motor carriers; establishing a gross vehicle weight limitation for state trunk highways; requiring a local plan to upgrade market arteries; providing that 12 citizens may challenge a seasonal weight restriction imposed by the commissioner; amending Minnesota Statutes 1984, sections 169.81, subdivision 2; 169.825, subdivision 10; 169.86, subdivisions 1a, 2, and by adding a subdivision; and 169.87, subdivision 1, and by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Samuelson introduced—

S.F. No. 305: A bill for an act relating to human services; extending the community work experience program; amending Minnesota Statutes 1984, section 256.737.

Referred to the Committee on Health and Human Services.

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

S.F. No. 306: A bill for an act relating to game and fish; setting a limit on walleyes taken from Lake of the Woods and Rainy Lake; amending Minnesota Statutes 1984, section 101.41, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Mehrkens, Ms. Peterson, D.C.; Messrs. Hughes, Luther and Johnson, D.E. introduced—

S.F. No. 307: A bill for an act relating to elections; requiring that a candidate for school district office be a qualified voter; amending Minnesota Statutes 1984, section 123.32, subdivision 4.

Referred to the Committee on Elections and Ethics.

Mr. Solon introduced—

S.F. No. 308: A bill for an act relating to St. Louis county; authorizing a private sale of certain tax-forfeited land.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Kroening introduced—

S.F. No. 309: A bill for an act relating to state government; providing for chiropractic positions in state government civil service; providing for the provision of chiropractic services; proposing coding for new law in Minnesota Statutes, chapters 43A and 148.

Referred to the Committee on Health and Human Services.

Mr. Benson and Mrs. Kronebusch introduced—

S.F. No. 310: A bill for an act relating to taxation; motor fuels; expanding

definition of qualified service station for purposes of the excise tax on gasoline; amending Minnesota Statutes 1984, section 296.02, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frederickson introduced—

S.F. No. 311: A bill for an act relating to health; authorizing an additional rural doctor for the Springfield service area.

Referred to the Committee on Health and Human Services.

Messrs. Frederickson; Peterson, C.C.; Renneke; Mrs. Lantry and Mr. Peterson, D.L. introduced—

S.F. No. 312: A bill for an act relating to retirement; early retirement without reduction in annuities; amending Minnesota Statutes 1984, section 356.70, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Belanger, Benson, Frank and Frederick introduced—

S.F. No. 313: A bill for an act relating to taxation; providing for the computation of interest on tax overpayments; amending Minnesota Statutes 1984, sections 270A.07, subdivision 5; 271.12; 290.50, subdivision 1; 290.92, subdivisions 11 and 13; 290.93, subdivision 9; 290.936; 290A.07, subdivisions 2a and 3; 291.18; 294.09, subdivision 1; 297A.35, subdivision 1; 298.09, subdivision 4; and 299.05; proposing coding for new law in Minnesota Statutes, chapter 270.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Petty, Benson and Solon introduced—

S.F. No. 314: A bill for an act relating to insurance; no-fault automobile; providing mandatory underinsured motorist coverage; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for the payment of certain benefits; establishing tort threshold limitations on uninsured and underinsured motorist coverages; modifying the limitation of damages for noneconomic detriment; amending Minnesota Statutes 1984, sections 65B.43; by adding subdivisions; 65B.47, by adding a subdivision; 65B.49, subdivision 4, and by adding a subdivision; and 65B.51, subdivision 3.

Referred to the Committee on Economic Development and Commerce.

Messrs. Petty, Frank, Mrs. Lantry, Ms. Berglin and Peterson, D.C. introduced—

S.F. No. 315: A bill for an act relating to occupational safety and health; regulating the use of video display terminals; amending Minnesota Statutes 1984, sections 182.651, by adding subdivisions; 182.653, by adding subdivisions; and 182.655, by adding a subdivision.

Referred to the Committee on Employment.

Messrs. Petty, Luther, Merriam and Dahl introduced—

S.F. No. 316: A bill for an act relating to the environment; prohibiting the sale of beverages in certain plastic containers; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 116F.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ramstad and Jude introduced—

S.F. No. 317: A bill for an act relating to local government; providing conditions for the adoption or amendment of comprehensive municipal plans; amending Minnesota Statutes 1984, section 462.355, subdivision 3.

Referred to the Committee on Local and Urban Government.

Messrs. Samuelson, Solon, Benson, Bertram and Mrs. Brataas introduced—

S.F. No. 318: A bill for an act relating to courts; practice and procedure in dram shop actions; amending Minnesota Statutes 1984, sections 340.95 and 340.951.

Referred to the Committee on Judiciary.

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

S.F. No. 319: A bill for an act relating to the state board of investment; clarifying powers and duties; amending Minnesota Statutes 1984, sections 11A.14, subdivision 5; 11A.17, subdivision 13; and 11A.24, subdivisions 2, 3, and 4.

Referred to the Committee on Governmental Operations.

Mr. Solon introduced—

S.F. No. 320: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 2; providing for a senate of 33 members and a house of representatives of 66 members.

Referred to the Committee on Elections and Ethics.

Messrs. Moe, D.M. and Renneke introduced—

S.F. No. 321: A bill for an act relating to retirement; making various changes in laws governing public retirement funds; amending Minnesota Statutes 1984, sections 3.85, subdivisions 11 and 12; 353.656, subdivision 1; 353.657, subdivision 2a; 354.44, subdivision 6; 354A.35, subdivision 1; 356.20, subdivision 4; 356.215, subdivision 4; 356.216; and 356.70.

Referred to the Committee on Governmental Operations.

Messrs. Belanger, Benson, Frank and Frederick introduced—

S.F. No. 322: A bill for an act relating to taxation; providing for timely payment of certain income tax withholding and sales and use taxes; amending Minnesota Statutes 1984, sections 290.92, subdivision 6; 297A.26, sub-

division 1; and 297A.27, subdivision 1; repealing Minnesota Statutes 1984, section 297A.26, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Belanger, Benson, Frank and Frederick introduced—

S.F. No. 323: A bill for an act relating to taxation; sales and use; eliminating accelerated payment of liability; amending Minnesota Statutes 1984, section 297A.27, subdivision 1; repealing Minnesota Statutes 1984, section 297A.275.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kamrath; Benson; Peterson, D.L. and Ramstad introduced—

S.F. No. 324: A bill for an act relating to the legislature; redefining "legislative day" as any calendar day except Sunday; amending Minnesota Statutes 1984, section 3.012.

Referred to the Committee on Rules and Administration.

Messrs. Kamrath, Mehrikens, Renneke and Mrs. Kronebusch introduced—

S.F. No. 325: 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. Kamrath, Storm and Renneke introduced—

S.F. No. 326: 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. Diessner introduced—

S.F. No. 327: A bill for an act relating to watercraft; requiring titling for certain watercraft; regulating perfection of security interests in watercraft; proposing coding for new law as Minnesota Statutes, chapter 361A.

Referred to the Committee on Judiciary.

Messrs. Dieterich, Schmitz, Storm, Langseth and Samuelson introduced—

S.F. No. 328: A bill for an act relating to charitable gambling; changing the effective date for licensing by the charitable gambling control board; eliminating dedication of tax revenue to the arts; amending Laws 1984, chapter 502, article 12, section 26; repealing Minnesota Statutes 1984, section 349.212, subdivision 3.

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

Ms. Reichgott, Messrs. Wegscheid, Kroening, Waldorf and Johnson, D.E. introduced—



S.F. No. 329: 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.

Mr. Stumpf introduced—

S.F. No. 330: A bill for an act relating to public safety; permitting churches to display christmas trees with decorative lights; amending Minnesota Statutes 1984, section 299F.011, by adding a subdivision.

Referred to the Committee on Veterans and General Legislation.

Mrs. Adkins, Messrs. Diessner, Jude and Mrs. Lantry introduced—

S.F. No. 331: A bill for an act relating to health; permitting the county coroner to remove the pituitary gland from a body under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 390.

Referred to the Committee on Health and Human Services.

Ms. Berglin, Messrs. Johnson, D.E.; Freeman; Ms. Reichgott and Mr. Peterson, R.W. introduced—

S.F. No. 332: A bill for an act relating to human services; requiring contribution by the parent of a child for full assistance expenditures; amending Minnesota Statutes 1984, section 256.87, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Mehrkens, Solon and Wegscheid introduced—

S.F. No. 333: A bill for an act relating to the town of Cannon Falls; authorizing the establishment of a detached banking facility.

Referred to the Committee on Economic Development and Commerce.

Mr. Luther introduced—

S.F. No. 334: A bill for an act relating to insurance; dramshop liability; authorizing annual aggregate policy limits; amending Minnesota Statutes 1984, section 340.11, subdivision 21.

Referred to the Committee on Judiciary.

## ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, February 7, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate