

FORTIETH DAY

St. Paul, Minnesota, Wednesday, April 17, 1985

The Senate met at 12:45 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Hal Hoekstra.

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

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

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

April 17, 1985

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the Metropolitan Waste Control Commission are hereby respectfully submitted to the Senate for confirmation as required by law:

Susan E. Kimberly, 911 Osceola Ave., St. Paul, Ramsey County, has been appointed by the Metropolitan Council, effective March 19, 1985, for a term expiring January 1, 1987.

Judith Fletcher, 2626 Southlawn Dr., Maplewood, Ramsey County, has been appointed by the Metropolitan Council, effective August 25, 1983, for a term expiring January 1, 1987.

Carol Kummer, 4818 - 30th Ave. S., Minneapolis, Hennepin County, has been appointed by the Metropolitan Council, effective August 25, 1983, for a term expiring January 1, 1987.

George Dahlvang, 4535 Washburn Ave., N., Minneapolis, Hennepin County, has been appointed by the Metropolitan Council, effective August 25, 1983, for a term expiring January 1, 1987.

Paul McCarron, 732 - 82nd Ave. N.E., Spring Lake Park, Anoka County, has been appointed by the Metropolitan Council, effective January 15, 1985, for a term expiring January 1, 1989.

Mark Mahon, 8435 Portland Ave. S., Bloomington, Hennepin County, has been appointed by the Metropolitan Council, effective January 15, 1985, for a term expiring January 1, 1989.

JoEllen Hurr, 930 Partenwood Rd., Long Lake, Hennepin County, has been appointed by the Metropolitan Council, effective January 15, 1985, for a term expiring January 1, 1989.

Bruce Baumann, 211 - 21st Ave. S., South St. Paul, Dakota County, has been appointed by the Metropolitan Council, effective January 15, 1985, for a term expiring January 1, 1989.

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

Sincerely,

Sandra S. Gardebring
Chair

REPORTS OF COMMITTEES

Mr. Luther moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

H.F. No. 221: A bill for an act relating to highways; designating the George Mann Memorial Highway; amending Minnesota Statutes 1984, section 161.14, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1236: A bill for an act relating to the state transportation system; authorizing the issuance and sale of state transportation bonds; authorizing the expenditure of the proceeds for bridge and related purposes; appropriating money; amending Laws 1979, chapter 280, sections 1 and 2, as amended.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1348: A bill for an act relating to transportation; railroads; prescribing fees for commencement of various proceedings before the transportation regulation board; proposing coding for new law in Minnesota Statutes, chapter 219.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 947: A bill for an act relating to motor vehicles; providing that certain license plates be issued every six years; amending Minnesota Statutes 1984, section 168.12, subdivisions 1 and 5.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 792: A bill for an act relating to public safety; appropriating money to purchase mobile communications equipment for state patrol.

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

Page 1, delete section 1

Page 1, line 25, before "*purchase*" insert "*total*"

Page 2, line 1, before the period, insert "*, in the fiscal year ending June 30, 1986, with delivery and payment to be made for one-half of the mobile repeater units in the fiscal year ending June 30, 1987*"

Page 2, line 3, delete "*Sections*" and insert "*Section*" and delete "*and 2 are*" and insert "*is*"

Renumber the sections in sequence

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

H.F. No. 468: A bill for an act relating to state departments and agencies; clarifying the duties of the state demographer; amending Minnesota Statutes 1984, sections 275.14; 368.01, subdivision 1a; and 368.015.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

H.F. No. 648: A bill for an act relating to state departments and agencies; transferring authority for administration of the rural rehabilitation corporation trust liquidation act from the state executive council to the commissioner of energy and economic development; creating a governor's rural development council; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1984, section 9.36.

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

Page 2, line 11, after "1950" insert "and as allowed under section 3, subdivision 8"

Page 4, line 26, delete "committee" and insert "committees"

Page 4, delete lines 28 to 30

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

H.F. No. 513: A bill for an act relating to state government; regulating the career executive service; specifying executive branch conflicts of interest; providing for review of state trooper arbitration awards; regulating approved complements; regulating liquidation of vacation leave; amending Minnesota Statutes 1984, sections 15.62, subdivision 2; 16A.123, subdivision 3; 16B.65, subdivision 3; 43A.17, subdivision 8; 43A.21, subdivision 5; 43A.38, subdivision 5; 62D.22, subdivision 7; and 299D.03, subdivision 11.

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

Page 1, line 18, delete "world," and delete the comma after "American" and delete "level" and insert "team"

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 1984, section 15A.081, subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.]

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range Effective July 1, 1983
Commissioner of education;	\$57,500-\$70,000
Commissioner of finance;	
Commissioner of transportation;	
Commissioner of human services;	
Chancellor, community college system;	

Chancellor, state university system;	
Director, vocational technical education	
Executive director, state board of investment;	
Commissioner of administration;	\$50,000-\$60,000
Commissioner of agriculture;	
Commissioner of commerce;	
Commissioner of corrections;	
Commissioner of economic security;	
Commissioner of employee relations;	
Commissioner of energy and economic development;	
Commissioner of health;	
Commissioner of labor and industry;	
Commissioner of natural resources;	
Commissioner of revenue;	
Commissioner of public safety;	
Chairperson, waste management board	
Chief administrative law judge; office of administrative hearings;	
Director, pollution control agency;	
Director, state planning agency;	
Executive director, higher education coordinating board;	
Executive director, housing finance agency;	
Executive director, teacher's retirement association;	
Executive director, state retirement system;	
<i>Chairman, metropolitan council</i>	
<i>Chairman, regional transit board</i>	
Commissioner of human rights;	\$40,000-\$52,500
Director, department of public service;	
Commissioner of veterans' affairs;	
Director, bureau of mediation services;	
Commissioner, public utilities commission;	
Member, transportation regulation board;	
Director, zoological gardens.	

Sec. 3. Minnesota Statutes 1984, section 15A.081, is amended by adding a subdivision to read:

Subd. 7a. The governor shall set the salary rate within the range listed below for the part-time positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

*Salary Range
Effective
July 1, 1983*

Chairman, metropolitan airports

commission \$15,000-\$25,000
*Chairman, metropolitan waste control
 commission"*

Page 3, line 31, reinstate the stricken "classified" and delete "civil"

Page 6, after line 9, insert:

"Sec. 11. [REPEALER.]

Minnesota Statutes 1984, section 15A.081, subdivision 7, is repealed."

Page 6, line 11, delete "to 8" and insert "and 4 to 10"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "permitting the governor to set salaries for certain full- and part-time officials of metropolitan agencies;"

Page 1, line 8, after the first semicolon, insert "15A.081, subdivision 1, and by adding a subdivision;"

Page 1, line 11, before the period, insert "; repealing Minnesota Statutes 1984, section 15A.081, subdivision 7"

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 was referred

H.F. No. 755 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
755	678				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 755 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 755 and insert the language after the enacting clause of S.F. No. 678, the first engrossment; further, delete the title of H.F. No. 755 and insert the title of S.F. No. 678, the first engrossment.

And when so amended H.F. No. 755 will be identical to S.F. No. 678, and further recommends that H.F. No. 755 be given its second reading and substituted for S.F. No. 678, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 779 for comparison with companion Senate File, reports the fol-

lowing House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
779	822				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 779 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 779 and insert the language after the enacting clause of S.F. No. 822, the first engrossment; further, delete the title of H.F. No. 779 and insert the title of S.F. No. 822, the first engrossment.

And when so amended H.F. No. 779 will be identical to S.F. No. 822, and further recommends that H.F. No. 779 be given its second reading and substituted for S.F. No. 822, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1198 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1198	1152				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 221, 468, 513, 755, 779 and 1198 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lessard moved that the name of Mr. Dahl be added as a co-author to S.F. No. 93. The motion prevailed.

RECESS

Mr. Luther moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that

the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 331: Mmes. Adkins, Lantry and Mr. Johnson, D.E.

Mr. Luther moved that the foregoing appointments be approved. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Johnson, D.E. introduced—

S.F. No. 1495: A bill for an act relating to local government; directing the reimbursement of Pope county for the expenses of law enforcement and damages to public property connected with certain public demonstrations; appropriating money.

Referred to the Committee on Finance.

Ms. Reichgott, Messrs. Merriam, Hughes, Nelson and Peterson, D.L. introduced—

S.F. No. 1496: A bill for an act relating to education; establishing the governor's high school scholar program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Education.

Mr. Samuelson introduced—

S.F. No. 1497: A bill for an act relating to taxation; property; providing that the basic maintenance levy not be applied against certain seasonal recreational property; providing a state reimbursement to school districts; appropriating money; amending Minnesota Statutes 1984, section 124A.03, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knaak and Jude introduced—

S.F. No. 1498: A bill for an act relating to judgments; clarifying the procedure and cost for filing foreign judgments; clarifying the procedure to be used in securing a judgment and execution; amending Minnesota Statutes 1984, sections 548.27; 548.30; 549.09; and 550.04.

Referred to the Committee on Judiciary.

MEMBERS EXCUSED

Messrs. Belanger; Kroening; Moe, R.D. and Waldorf were excused from the Session of today.

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 2:00 p.m., Thursday, April 18, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate