

STATE OF MINNESOTA

Journal of the Senate

SEVENTY-SIXTH LEGISLATURE

SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Wednesday, September 27, 1989

The Senate met at 10:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Paul Romstad.

The Secretary called the roll by legislative districts in numerical order as follows:

First District	LeRoy A. Stumpf
Second District	Roger D. Moe
Third District	Bob Lessard
Fourth District	Bob Decker
Fifth District	Ronald R. Dicklich
Sixth District	Douglas J. Johnson
Seventh District	Sam G. Solon
Eighth District	Jim Gustafson
Ninth District	Keith Langseth
Tenth District	Cal Larson
Eleventh District	Charles A. Berg
Twelfth District	Don Anderson
Thirteenth District	Don Samuelson
Fourteenth District	Florian Chmielewski
Fifteenth District	Dean E. Johnson
Sixteenth District	Joe Bertram, Sr.
Seventeenth District	James C. Pehler
Eighteenth District	Charles R. Davis
Nineteenth District	Randolph W. Peterson
Twentieth District	David J. Frederickson
Twenty-first District	John Bernhagen
Twenty-second District	Betty A. Adkins
Twenty-third District	Dennis R. Frederickson
Twenty-fourth District	Glen Taylor
Twenty-fifth District	Clarence M. Purfeerst
Twenty-sixth District	Lyle G. Mehrkens
Twenty-seventh District	Gary M. DeCramer
Twenty-eighth District	Jim M. Vickerman
Twenty-ninth District	Tracy L. Beckman
Thirtieth District	Mel Frederick
Thirty-first District	Pat Piper
Thirty-second District	Duane D. Benson

Thirty-third District	Nancy Brataas
Thirty-fourth District	Steven Morse
Thirty-fifth District	Earl W. Renneke
Thirty-sixth District	Robert J. Schmitz
Thirty-seventh District	Pat Pariseau
Thirty-eighth District	Howard A. Knutson
Thirty-ninth District	James Metzen
Fortieth District	Michael O. Freeman
Forty-first District	William V. Belanger, Jr.
Forty-second District	Donald A. Storm
Forty-third District	Gen Olson
Forty-fourth District	Phyllis W. McQuaid
Forty-fifth District	Jim Ramstad
Forty-sixth District	Ember D. Reichgott
Forty-seventh District	William P. Luther
Forty-eighth District	Patrick D. McGowan
Forty-ninth District	Gene Merriam
Fiftieth District	Gregory L. Dahl
Fifty-first District	Don Frank
Fifty-second District	Steven G. Novak
Fifty-third District	Fritz Knaak
Fifty-fourth District	Jerome M. Hughes
Fifty-fifth District	Gary W. Laidig
Fifty-sixth District	A. W. "Bill" Diessner
Fifty-seventh District	Carl W. Kroening
Fifty-eighth District	Lawrence J. Pogemiller
Fifty-ninth District	Allan H. Spear
Sixtieth District	Linda Berglin
Sixty-first District	Donna C. Peterson
Sixty-second District	John E. Brandl
Sixty-third District	John J. Marty
Sixty-fourth District	Richard Cohen
Sixty-fifth District	Donald M. Moe
Sixty-sixth District	Gene Waldorf
Sixty-seventh District	Marilyn M. Lantry

The President declared a quorum present.

MEMBERS EXCUSED

Ms. Berglin, Mrs. Brataas, Messrs. Berg, Langseth, Purfeerst, Spear and Taylor were excused from the Session of today.

STATE OF MINNESOTA

PROCLAMATION

WHEREAS: Final agreement on essential legislation affecting the health, safety and welfare of Minnesota citizens was not reached during the regular session of the Minnesota Legislature; and

WHEREAS: The unfinished business includes essential items dealing with tax reform and operations of local government; and

WHEREAS: It is critical for the long-term fiscal stability of the state government, the economic future of the state and the needs of the people

of Minnesota that such issues be resolved; and

WHEREAS: The period of time allowed by the Minnesota Constitution for passage of such legislation has expired and an extraordinary occasion is thereby created; and

WHEREAS: Article IV, Section 12 of the Constitution of the State of Minnesota provides that a Special Session of the Legislature may be called on extraordinary occasions; and

WHEREAS: Elected leaders of the Legislature have agreed on an agenda and procedures to complete a Special Session in the shortest time possible; and

WHEREAS: Due to the current renovation of the chamber of the House of Representatives, it is necessary for the House to meet in the chamber of the Senate, but only after the Senate has passed a resolution granting consent to such use; and

WHEREAS: It is therefore necessary to summon members of the House to convene at a time certain that is later than the time set for convening the Senate;

NOW, THEREFORE, I, Rudy Perpich, as Governor of the State of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Wednesday, September 27, 1989, the Senate to convene at 10:00 a.m. and the House of Representatives at noon on that day, in the chamber of the Senate in the Capitol in Saint Paul, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this twenty-sixth day of September in the year of Our Lord one thousand nine hundred and eighty-nine, and of the State the one hundred thirty-first.

Rudy Perpich,
Governor

Joan Anderson Growe,
Secretary of State

MOTIONS AND RESOLUTIONS

Messrs. Moe, R.D. and Benson introduced—

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate is organized under Minnesota Statutes, sections 3.073 and 3.103.

The Rules of the Senate for the 76th Legislature are the Rules for the Special Session, except that Rules 33, 40, and 57 are not operative other than as provided in this resolution.

The Committees on Rules and Administration and Taxes and Tax Laws are established in the same manner and with the same powers as in the 76th Legislature.

With respect to Rule 31, Reconsideration, a notice of intention to move

for reconsideration is not in order, but a motion to reconsider may be made, and when made has priority over other business except a motion to adjourn.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Decker	Johnson, D.J.	Mehrkens	Piper
Anderson	DeCramer	Knaak	Merriam	Pogemiller
Beckman	Dicklich	Knutson	Metzen	Ramstad
Belanger	Diessner	Kroening	Moe, R. D.	Reichgott
Benson	Frank	Laidig	Moe, R. D.	Renneke
Bernhagen	Frederick	Lantry	Morse	Samuelson
Bertram	Frederickson, D.J.	Larson	Novak	Schmitz
Brandl	Frederickson, D.R.	Lessard	Olson	Solon
Chmielewski	Freeman	Luther	Pariseau	Storm
Cohen	Gustafson	Marty	Pehler	Stumpf
Dahl	Hughes	McGowan	Peterson, D.C.	Vickerman
Davis	Johnson, D.E.	McQuaid	Peterson, R. W.	Waldorf

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved, pursuant to Article IV, Section 12, of the Constitution of the State of Minnesota, that the Senate hereby consents to the House of Representatives meeting in the Senate chamber during the 1989 Special Session of the legislature and that the Secretary of the Senate is directed to inform the House by message.

The motion prevailed.

Messrs. Moe, R.D. and Benson introduced—

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized under the Minnesota Constitution and Minnesota Statutes.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Johnson, D.J.; Moe, R.D.; Pogemiller; Novak and Stumpf introduced—

S.F. No. 1: A bill for an act relating to the financing and operation of government in Minnesota; changing tax rates and bases; modifying the

administration, collection, and enforcement of taxes; imposing taxes; creating tax exemptions; changing the computation, administration, and payment of aids, credits, and refunds; providing new aids and credits; making technical corrections and clarifications; changing proposed property tax notice provisions; changing levy limits and other local government powers and duties; allowing certain units of local governments to impose taxes; changing tax increment financing provisions; providing that the state will be supplier of gambling equipment; authorizing establishment of an economic development authority in the city of Otsego and in Kandiyohi county; exempting Itasca county from a levy limit penalty and authorizing a special levy; modifying the levy authority of the Red River watershed management district; authorizing an appropriation by Aitkin county; providing for payment of certain aid to the cities of Falcon Heights and Lauderdale; extending the duration of tax increment financing districts in the cities of Moorhead and Chanhausen; exempting a redevelopment district in the city of Minneapolis from certain requirements; granting certain powers to towns; modifying certain bond allocation procedures; authorizing a transfer by the Tower-Soudan school district; requiring studies of state and local finance issues; requiring the governor to recommend spending reductions; setting the amount of the budget reserve; establishing plans and programs to reduce waste generated, recycle waste, develop markets for recyclables, address materials that cause special problems in the waste stream, prevent, control, and abate litter, inform and educate the public on proper waste management; requiring a mechanism to fund certain mental health services; providing procedures for allocating costs of certain human services between the state and county agencies; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 3.885, subdivisions 3, 5, and by adding subdivisions; 3.982; 6.62, subdivision 1; 10A.31, subdivision 5; 16A.15, subdivision 6; 18.023, subdivision 8; 60A.14, subdivision 1; 60A.15, subdivision 1; 60A.19, subdivision 6; 110B.15, subdivision 4; 115.34, subdivision 1; 115A.03, subdivision 25a, and by adding subdivisions; 115A.072; 115A.15, subdivision 5, and by adding subdivisions; 115A.46, by adding a subdivision; 115A.48, subdivision 3, and by adding a subdivision; 115A.915; 115A.96, subdivision 2, and by adding a subdivision; 116.07, by adding a subdivision; 116K.04, by adding a subdivision; 124.42, subdivisions 1 and 4; 124.83, subdivision 1; 124A.26, subdivision 1; 129A.06, subdivision 2; 145A.08, subdivision 3; 164.041; 256.736, subdivision 13; 256B.091, subdivision 8; 256B.19, subdivision 1, and by adding a subdivision; 256D.03, subdivision 6; 256G.01, subdivision 3; 256G.05; 256G.07; 256G.10; 256G.11; 270.067, subdivisions 1 and 2; 270.11, subdivision 2; 270.12, subdivision 3, and by adding a subdivision; 270.13; 270.18; 270.77; 270.82; 270.84; 270.85; 270.87; 272.02, subdivision 4, and by adding subdivisions; 272.025, subdivision 1; 272.115, subdivision 1; 273.064; 273.065; 273.111, subdivision 4; 273.123, subdivisions 4, 5, and 7; 273.13, subdivisions 21a, 24, 25, 31, and by adding subdivisions; 273.1392; 273.1398, subdivisions 2, 3, and by adding subdivisions; 273.33, subdivision 2; 273.37, subdivision 2; 274.14; 275.065, subdivisions 1, 3, 4, 6, 7, and by adding subdivisions; 275.07, subdivision 1, and by adding a subdivision; 275.08, subdivisions 2 and 3; 275.124; 275.15; 275.16; 275.29; 275.50, subdivision 5; 275.51, subdivisions 3f, 3h, 3i, 3j, 4, 6, and by adding a subdivision; 275.58, subdivisions 2 and 3; 276.01; 276.04, subdivisions 2 and 3; 276.09; 276.10; 276.11, subdivision 1; 277.01, subdivision 1; 277.02; 277.05; 277.06; 277.13; 284.28, subdivisions 4 and 7; 287.29; 290.01, subdivision 29; 290.02; 290.05, subdivisions 1 and 2; 290.06, subdivisions 1, 21, and

by adding a subdivision; 290.067, subdivision 2, and by adding a subdivision; 290.091, subdivision 2, and by adding a subdivision; 290.095, subdivision 2, and by adding a subdivision; 290.17, by adding a subdivision; 290.21, subdivision 4; 290.35, subdivisions 1, 4, and by adding a subdivision; 290.37, subdivision 1; 290.38; 290.92, subdivision 21, and by adding a subdivision; 290.934, subdivision 3a; 290A.04, subdivisions 2, 2h, 3, and by adding a subdivision; 290A.07, subdivision 2a; 295.34, subdivision 1; 297A.01, subdivision 3; 297A.02, subdivision 2; 297A.15, subdivision 5; 297A.25, subdivision 3, and by adding a subdivision; 297A.257, subdivision 1; 297A.39, by adding a subdivision; 298.01, by adding subdivisions; 298.28, subdivisions 6 and 12; 298.282, subdivision 3; 298.39; 298.396; 325E.115, subdivision 1; 349.12, subdivision 19, and by adding subdivisions; 349.16, by adding a subdivision; 349.212, subdivisions 1, 2, 4, and by adding a subdivision; 349.2127, subdivision 4, and by adding a subdivision; 353A.10, subdivision 3; 360.037, subdivision 2; 368.01, subdivision 14; 373.40, subdivisions 1 and 2; 375.18, by adding a subdivision; 386.015, subdivision 5; 400.08, by adding a subdivision; 412.221, subdivision 22; 414.01, subdivision 15; 444.075, subdivisions 1 and 4; 444.16; 444.17; 444.18; 444.19; 444.20; 447.34, subdivision 1; 447.35; 465.73; 469.167, subdivision 2; 469.171, subdivision 7, and by adding a subdivision; 469.174, subdivisions 10, 16, 17, and by adding a subdivision; 469.175, by adding a subdivision; 469.176, by adding a subdivision; 469.177, subdivisions 6 and 10; 469.190, subdivisions 2 and 3; 471.572, subdivision 2; 471.74, subdivision 2; 471A.03, subdivision 4; 473.149, subdivision 1; 473.167, subdivision 4; 473.249, subdivision 2; 473.446, subdivision 8; 473.711, subdivision 5; 473.803, subdivision 1; 473.87; 473E05; 473E06; 473E07, subdivisions 1, 2, and 5; 473E08, subdivisions 3, 3a, 5, and by adding a subdivision; 473E09; 473H.10, subdivision 3; 474A.061, subdivisions 1, 2, and 4; 474A.091, subdivisions 2 and 3; 475.74; 475.754; 477A.011, subdivisions 1a, 3, 3a, 20, and by adding subdivisions; 477A.012, by adding subdivisions; 477A.013, subdivision 3, and by adding subdivisions; 508.75; 508.76; 508.77; 508.78; 508.79; 508.82; 508A.76; 508A.77; 508A.78; 508A.79; 508A.82; Minnesota Statutes 1989 Supplement, sections 16A.1541; 115A.12, subdivision 1; 115A.46, subdivision 2; 121.904, subdivisions 4a and 4e; 124.2131, subdivision 1; 124.243, subdivision 3; 124.244, subdivision 2; 124.83, subdivision 4; 124A.03, subdivision 2; 124A.23, subdivision 1; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256B.041, subdivision 5; 256D.03, subdivision 2; 256D.051, subdivision 6; 256D.36, subdivision 1; 256G.02, subdivision 4; 270.12, subdivision 2; 272.02, subdivision 1; 273.061, subdivision 1; 273.1104, subdivision 2; 273.119, subdivision 2; 273.124, subdivision 6; 273.13, subdivisions 22 and 23; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1398, subdivisions 1, 5, and 6; 275.07, subdivision 3; 275.125, subdivisions 5, 5b, and 9; 275.14; 275.28, subdivision 1; 275.58, subdivision 1; 287.12; 290.01, subdivision 19c; 290.015, subdivisions 3 and 4; 290.05, subdivision 3; 290.0802, subdivision 1; 290.17, subdivision 2; 290.191, subdivision 6; 290.92, subdivision 4b; 297A.25, subdivisions 11 and 16; 297A.44, subdivision 1; 298.282, subdivision 2; 349.12, subdivision 11; 349.15; 349.161, subdivision 1; 349.163, subdivision 3; 349.19, subdivision 6; 349.214, subdivision 2; 357.021, subdivision 1a; 373.40, subdivision 6; 412.251; 426.04; 469.033, subdivision 6; 469.174, subdivision 7; 469.175, subdivisions 3 and 7; 469.176, subdivisions 1 and 6; 469.190, subdivision 1; 471.1921; 473.882, subdivision 3; and 477A.013, subdivision 1; Laws 1976, chapter 162, section 1, as amended; Laws 1986, chapter 399, article

1, section 1; Laws 1987, chapter 268, article 6, section 54, as amended; 1988, chapter 719, article 1, section 22; and article 12, section 29, as amended; Laws 1989, chapter 282, article 5, section 133; chapter 329, article 1, section 17, subdivision 2; article 2, section 8, subdivision 2; and article 5, section 21, subdivisions 2 and 3; and chapter 335, article 3, sections 54, subdivision 8; and 58, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 16B; 115A; 124; 173; 256; 273; 274; 290; 290A; 297A; 325E; 349; 469; and 473; repealing Minnesota Statutes 1988, sections 3.981; 3.983, as amended; 134.34, subdivision 6; 245.775; 270.81, subdivision 5; 273.135, subdivision 2a; 273.1391, subdivision 2a; 275.065, subdivisions 2 and 5; 275.11; 275.50; 275.51; 275.54; 275.55; 275.56; 275.561; 275.58; 290.092, subdivision 5; 349.2121, subdivision 4; 471A.04; 477A.011, subdivision 24; 477A.013, subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, September 28, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate