

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

SEVENTH DAY

ST. PAUL, MINNESOTA, MONDAY, JANUARY 24, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Novak	Stanton
Arlandson	Enebo	Kempe, A.	Osthoff	Stoa
Battaglia	Erickson	Kempe, R.	Patton	Suss
Beauchamp	Esau	King	Pehler	Swanson
Begich	Evans	Knickerbocker	Peterson	Tomlinson
Berg	Ewald	Kostohryz	Petrafeso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Voss
Berkelman	Fjoslien	Kvam	Prahl	Waldorf
Biersdorf	Forsythe	Laidig	Reding	Welch
Birnstihl	Friedrich	Langseth	Rice	Wenstrom
Brandl	Fudro	Lehto	Rose	Wenzel
Braun	Fugina	Lemke	St. Onge	White
Brinkman	George	Mangan	Samuelson	Wieser
Byrne	Gunter	Mann	Sarna	Wigley
Carlson, A.	Hanson	McCarron	Savelkoul	Williamson
Carlson, D.	Haugerud	McCollar	Scheid	Wynia
Carlson, L.	Heinitz	McDonald	Schulz	Zubay
Casserly	Hokanson	McEachern	Searle	Speaker Sabo
Clark	Jacobs	Metzen	Searles	
Clawson	Jaros	Moe	Setzepfandt	

A quorum was present.

Norton was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Esau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Metropolitan Council 1976 Annual Report to the Minnesota State Legislature, Motor Vehicle Registration Study submitted by the Department of Public Safety Division of Motor Vehicles, Report of the Commission on Minnesota's Future, Bus Service Expansion Program Progress Report submitted by the Metropolitan Transit Commission, Biennial Report of the Minnesota Department of Natural Resources, Program for Vocational Technical Education Facility submitted by the Building Advisory Committee University of Minnesota Twin Cities Campus, Summary of Health-Related Regulatory Boards' Reports prepared by Division of Health Manpower Minnesota Department of Health, and 1976 Annual Report of the Commerce Department.

REPORTS OF STANDING COMMITTEES

Johnson from the Committee on Education to which was referred:

H. F. No. 12, A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 12 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Cummisky introduced:

H. F. No. 111, A bill for an act relating to agriculture; providing identification numbers for bee keepers; amending Minnesota Statutes 1976, Sections 19.19, by adding a subdivision; and 19.21.

The bill was read for the first time and referred to the Committee on Agriculture.

Stanton, St. Onge, Stoa, Beauchamp and Pehler introduced:

H. F. No. 112, A bill for an act relating to human rights; prohibiting discrimination against students in housing; amending Minnesota Statutes 1976, Sections 363.03, Subdivision 2; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clark, Arlandson, Neisen, Sieben, M., and Pleasant introduced:

H. F. No. 113, A bill for an act relating to commerce; regulating open contract sales; providing that the contract of sale involved in an open contract sale and a statement of its charges and payment be returned to the purchaser upon payment of the obligation.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Moe introduced:

H. F. No. 114, A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.50.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

George; Corbid; Sieben, H.; Laidig and Hanson introduced:

H. F. No. 115, A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Williamson; Prah!; Kelly, R.; Hanson and Jaros introduced:

H. F. No. 116, A bill for an act relating to landlords and tenants; requiring notice of rent increase; amending Minnesota Statutes 1976, Chapter 504, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McCarron, Novak, Kaley, Lehto and Kempe, A., introduced:

H. F. No. 117, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Peterson, Kostohryz, Mann, Kempe, R., and Carlson, A., introduced:

H. F. No. 118, A bill for an act relating to education; program evaluation; establishing a system of statewide assessment of minimal competency of pupils and remedial assistance in teaching of basic skills; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Wieser, Lemke and Schulz introduced:

H. F. No. 119, A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wigley; Mann; Anderson, G., Friedrich and Eken introduced:

H. F. No. 120, A resolution memorializing Congress and the President of the United States to authorize replacement of Locks and Dam No. 26 in Alton, Illinois.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Williamson; Nelsen, B.; Osthoff; Rice and Anderson, I., introduced:

H. F. No. 121, A bill for an act establishing a special advisory committee on presidential primary elections; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Pehler; Carlson, A.; Faricy; Osthoff and McCarron introduced:

H. F. No. 122, A bill for an act proposing an amendment repealing Article XIII, Section 5, of the Minnesota Constitution; permitting lotteries.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Adams, Osthoff, Abeln, White and McCarron introduced:

H. F. No. 123, A bill for an act relating to elections; providing protection for employees who become candidates; providing penalties; amending Minnesota Statutes 1976, Chapter 10A, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Niehaus, Neisen, Albrecht, Schulz and Evans introduced:

H. F. No. 124, A bill for an act relating to elections; making town treasurers eligible to serve as election judges; amending Minnesota Statutes 1976, Section 204A.17, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McDonald; Nelsen, B.; Johnson; Niehaus and Murphy introduced:

H. F. No. 125, A bill for an act relating to elections; making town treasurers eligible to serve as election judges; amending Minnesota Statutes 1976, Section 204A.17, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Moe, Patton, Reding and Wigley introduced:

H. F. No. 126, A bill for an act relating to retirement; additional employer contributions to amortize the deficit in the teachers' retirement fund; amending Minnesota Statutes 1976, Section 354.42, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Niehaus, Schulz, Esau, Eken and Brinkman introduced:

H. F. No. 127, A bill for an act relating to unemployment compensation; providing that a person voluntarily terminating employment without good cause is disqualified from benefits; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Dean, Kahn, Pehler and Carlson, A., introduced:

H. F. No. 128, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding a subdivision; 144.176, Subdivision 1, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Pehler, Cummiskey, Kroening, Patton and Peterson introduced:

H. F. No. 129, A bill for an act relating to education; encouraging post-secondary institutions to grant comparable credit for comparable work at another institution; directing the higher education coordinating board to perform certain duties.

The bill was read for the first time and referred to the Committee on Higher Education.

Pehler, Stanton, Beauchamp, Cummiskey and Faricy introduced:

H. F. No. 130, A bill for an act relating to local control of campus liquor policy; amending Minnesota Statutes 1976, Section 624.701, Subdivision 1.

The bill was read for the first time and referred to the Committee on Higher Education.

Adams; Carlson, L.; McCollar; Scheid and Knickerbocker introduced:

H. F. No. 131, A bill for an act relating to metropolitan government; providing for election of the chairman and other members of the council; amending Minnesota Statutes 1976, Section 473.123, Subdivisions 2, 3, 4, and 5; and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Searles introduced:

H. F. No. 132, A bill for an act relating to metropolitan government; changing the method for election of metropolitan council members; amending Minnesota Statutes 1976, Sections 473.121, by adding a subdivision; and 473.123, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe, A., introduced:

H. F. No. 133, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.25, Subdivision 2; and 473.123, Subdivisions 2, 3 and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

George, Ellingson, Brandl, Wynia and Hokanson introduced:

H. F. No. 134, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; and 10A.22, Subdivision 5; 473.123; and 473.141, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wieser, Lemke and Schulz introduced:

H. F. No. 135, A bill for an act relating to taxation; providing for optional payments in lieu of taxes to counties containing state forest lands; appropriating funds; amending Minnesota Statutes 1976, Section 89.036, and Chapter 89, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

McDonald introduced :

H. F. No. 136, A bill for an act relating to taxation; eliminating the homestead credit; increasing the amount of rent paid to be considered as property taxes paid; increasing amounts provided for income-adjusted homestead credit; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6 and 7; 276.04; 290A.03, Subdivision 11; and 290A.04, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Cummiskey, Simoneau, Voss, Hanson and Haugerud introduced :

H. F. No. 137, A bill for an act relating to motor vehicles; registration and taxation; providing for the registration and taxation of certain vehicles without renewal for the period of time that the vehicle is owned by the registering owner; amending Minnesota Statutes 1976, Section 168.013, Subdivisions 1, 1b, and 1d.

The bill was read for the first time and referred to the Committee on Transportation.

Rice, Enebo, St. Onge, Murphy and Simoneau introduced :

H. F. No. 138, A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1976, Section 179.63, Subdivision 18.

The bill was read for the first time and referred to the Committee on Education.

Clawson introduced :

H. F. No. 139, A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lehto, Munger, Biersdorf, Sherwood and Jaros introduced:

H. F. No. 140, A bill for an act relating to natural resources; imposing limits on the issuance of licenses for commercial fishing on Lake Superior; providing maximum amounts of gill net to be licensed in Lake Superior; amending Minnesota Statutes 1976, Sections 98.46, Subdivision 12; and 102.28, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Suss, Corbid, Lemke, Friedrich and Brinkman introduced:

H. F. No. 141, A bill for an act relating to business or agricultural loans; rate of interest therein; amending Minnesota Statutes 1976, Section 334.011, Subdivision 1; repealing Minnesota Statutes 1976, Section 334.011, Subdivision 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Scheid, Kahn, McDonald, Osthoff and Adams introduced:

H. F. No. 142, A bill for an act relating to public employees; providing for an automatic pay increase to state employees who pass the certified professional secretary examination.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Niehaus, Eken, Reding, Nelsen, B., and Fjoslien introduced:

H. F. No. 143, A bill for an act relating to eminent domain; permitting an alternate means of compensation to landowners whose land is condemned by certain companies, associations or utilities; amending Minnesota Statutes 1976, Chapter 117, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sherwood, St. Onge, Kalis, Niehaus and Smogard introduced:

H. F. No. 144, A bill for an act relating to health; authorizing the licensing of physicians from Canada without an examination; amending Minnesota Statutes 1976, Section 147.03.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Niehaus, Patton, Pehler, Sherwood and Albrecht introduced:

H. F. No. 145, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Skoglund, Enebo, Brandl, Dean and Rice introduced:

H. F. No. 146, A bill for an act relating to cities of the first class; establishing procedures for refunds of certain special assessments; amending Minnesota Statutes 1976, Section 430.07.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo, Kahn, Nelson, Clark and Dean introduced:

H. F. No. 147, A bill for an act relating to municipalities; amending the definition of municipality for shade tree disease control; amending Minnesota Statutes, 1975 Supplement, Section 18.023, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brandl, Nelson, Berglin, Skoglund and Carlson, A., introduced:

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; providing for the establishment of qualifications by the Minneapolis city council; amending Laws 1961, Chapter 108, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Enebo, Dean, Sarna and Fudro introduced:

H. F. No. 149, A bill for an act relating to recreational activities; creating the metropolitan sports facilities commission and prescribing its powers and duties; requiring the television broadcast within the metropolitan area of certain games; authorizing the metropolitan council to issue revenue bonds; providing for the construction and operation of a sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; providing for a tax levy; amending Minnesota Statutes 1976, Chapter 473, by adding sections; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Niehaus, Eken, Schulz, Albrecht and Reding introduced:

H. F. No. 150, A bill for an act relating to taxation; providing a gasoline excise tax exemption for agricultural vehicles; providing for certificates of exemption; providing penalties; amending Minnesota Statutes 1976, Sections 296.01, by adding a subdivision; 296.12, Subdivision 3; 296.18, Subdivision 1; and Chapter 296, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Kroening, Sabo, Berg, Carlson, A., and Sarna introduced:

H. F. No. 151, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1976, Section 276.04; and Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, Kahn, Casserly, Tomlinson and Carlson, A., introduced:

H. F. No. 152, A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.

The bill was read for the first time and referred to the Committee on Taxes.

Fjoslien, Prahl, Setzepfandt, Anderson, D., and Munger introduced:

H. F. No. 153, A bill for an act relating to taxation; exempting insulation products and wood sold for use as heating fuel from the sales tax; amending Minnesota Statutes 1976, Section 297A.-25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson; Schulz; Anderson, G.; Evans and Searles introduced:

H. F. No. 154, A bill for an act relating to taxation; providing progressive rates of taxation of corporate income; amending Minnesota Statutes 1976, Section 290.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisories were introduced:

Erickson; Mann; Nelsen, B.; Anderson, G.; and Anderson, D., introduced:

H. A. No. 5, A proposal for agriculture; rental of state owned lands; state policy.

The advisory was referred to the Committee on Agriculture.

Suss and Eken introduced:

H. A. No. 6, A proposal for preservation of agricultural land.

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to inform the House that the Senate is ready to meet with the House at 11:50 a.m., Tuesday, January 25, 1977, to receive the Budget Message of the Honorable Rudy Perpich,

Governor of the State of Minnesota; said message to be delivered at 12:00 noon.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 4, A senate concurrent resolution relating to the engrossment and enrolling of bills.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that Senate Concurrent Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 4

A Senate Concurrent Resolution relating to the engrossment and enrolling of bills.

Be It Resolved by the Senate of the State of Minnesota, the House of Representatives concurring therein, that pursuant to Minnesota Statutes 1974, Section 482.09, Subdivision 8, request is hereby made of the Revisor of Statutes to assist in all of the functions relating to the enrollment and engrossment of bills and related documents during the 70th Legislature, commencing at the regular session thereof beginning January 4, 1977; Senate bills and related documents to be under the supervision of the Secretary of the Senate and House bills and related documents to be under the supervision of the Chief Clerk of the House of Representatives.

Anderson, I., moved that Senate Concurrent Resolution No. 4 be now adopted. The motion prevailed and the resolution was adopted.

MOTIONS AND RESOLUTIONS

Mann moved that the name of Munger be added as an author on House Advisory No. 3. The motion prevailed.

Rice moved that a statement be printed in the journal of the House. The motion prevailed. Following is the statement: "I was excused pursuant to the Rules of the House on Monday, Janu-

ary 17, 1977, when the final vote was taken on House Resolution No. 2. Had I been present, I would have voted in the affirmative."

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members on the committee to escort the Governor to the Joint Convention being held in the House Chamber on Tuesday, January 25, 1977: Lehto, Murphy, Scheid, Wynia and Evans.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, January 25, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Tuesday, January 25, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives