

STATE OF MINNESOTA

SEVENTIETH SESSION -- 1978

SIXTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 23, 1978

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

A quorum was present.

Adams, Enebo, Kalis, Kvam, Neisen, Searles, Simoneau and Voss were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek 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: Improving Public Access to State Services in Minnesota from Department of Administration, Self-Insurance Program from University of Minnesota, and Biennial Report on Municipal Revenue Bonds from Department of Economic Development.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

McDonald, Savelkoul, Mann, Erickson and Kahn introduced:

H. F. No. 1807, A bill for an act relating to agriculture; providing for the promotion, improvement and development of markets for Minnesota agricultural products; appropriating money; amending Minnesota Statutes 1976, Section 17.101.

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

Enebo, Sarna, Kahn, Sabo and Berg introduced:

H. F. No. 1808, A bill for an act relating to special school district No. 1 of the city of Minneapolis; establishing four year terms of office for directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended and renumbered.

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

Lehto, Munger, McCarron, Biersdorf and Wynia introduced:

H. F. No. 1809, A bill for an act relating to game and fish; altering certain provisions relating to taking and possession, and penalties related thereto; amending Minnesota Statutes 1976, Sections 98.46, Subdivision 22; 100.29, Subdivision 22; 101.42, Subdivision 18; and Minnesota Statutes, 1977 Supplement, Section 98.52, Subdivision 1.

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

Nelson introduced:

H. F. No. 1810, A bill for an act relating to game and fish; exemptions from fishing license requirements for certain institutional inmates; amending Minnesota Statutes 1976, Section 98.47, Subdivision 12.

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

Simoneau, McCarron and Voss introduced:

H. F. No. 1811, A bill for an act relating to parks; authorizing the use of certain appropriated money for the acquisition and development of recreation facilities for the handicapped at Islands of Peace park; amending Laws 1977, Chapter 352, Section 1.

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

Pehler, Patton, Brinkman, Niehaus and Metzen introduced:

H. F. No. 1812, A bill for an act relating to banking; permitting certain detached facilities; amending Minnesota Statutes, 1977 Supplement, Section 47.55.

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

Anderson, B., introduced:

H. F. No. 1813, A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of detached banking facilities.

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

Samuelson, Corbid and Brinkman introduced:

H. F. No. 1814, A bill for an act relating to education; school districts; authorizing school districts to provide health and hospitalization or other coverage for its employees through self-insurance; amending Minnesota Statutes 1976, Section 471.61, Subdivision 1.

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

Suss, Patton, Schulz, Friedrich and Brinkman introduced:

H. F. No. 1815, A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; amending Minnesota Statutes 1976, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

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

Cohen introduced:

H. F. No. 1816, A bill for an act relating to elections; regulating procedures for ballot challenges and election contests; amending Minnesota Statutes 1976, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 4 and 4a; and 209.06, Subdivision 2.

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

Laidig, Braun, Samuelson, Johnson and Wigley introduced:

H. F. No. 1817, A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1976, Section 344.03, Subdivision 1; and Chapter 344, by adding a section.

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

Cohen introduced:

H. F. No. 1818, A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 2 and 13; removing references to subordinate judicial branch personnel from the constitution.

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

Anderson, G.; Johnson; Wenzel; Wenstrom and Smogard introduced:

H. F. No. 1819, A bill for an act relating to workers' compensation; providing for the coverage of certain farm and business owners and employees; amending Minnesota Statutes, 1977 Supplement, Section 176.012.

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

Pehler, McCarron, Gunter, Knickerbocker and Voss introduced:

H. F. No. 1820, A bill for an act relating to the organization and operation of state government; creating an office within the department of administration to receive citizen inquiries and complaints on matters relating to state government; providing for training and public information efforts; imposing duties on all state agencies; appropriating money.

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

Samuelson introduced:

H. F. No. 1821, A bill for an act relating to the city of Brainerd; firemen's service pensions; amending Laws 1973, Chapter 170, Section 1.

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

Kempe, R., introduced:

H. F. No. 1822, A bill for an act relating to eminent domain; requiring that prepayment penalties be treated as a separate item of damages; 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.

Carlson, L.; Swanson; Berglin; Zubay and Langseth introduced:

H. F. No. 1823, A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

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

Carlson, L.; Swanson; Berglin; Samuelson and Langseth introduced:

H. F. No. 1824, A bill for an act relating to health; providing for review of certain health care planning; requiring certificates of need for construction or modifications of certain health care facilities and services; amending Minnesota Statutes 1976, Sections 145.71, Subdivision 1; 145.72; 145.73; 145.74; 145.75; 145.751; 145.76, Subdivisions 1 and 2; 145.761; 145.77; 145.78; 145.79; 145.80; 145.83; and Chapter 145, by adding sections.

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

Swanson; Carlson, L.; Wigley; Clawson and Waldorf introduced:

H. F. No. 1825, A bill for an act relating to examining and licensing boards; concerning public health; requiring information at the time of license application; allowing the collection of information at the time of license renewal; amending Minnesota Statutes 1976, Chapter 214, by adding sections.

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

Welch; Anderson, B.; Scheid; Wigley and Swanson introduced:

H. F. No. 1826, A bill for an act relating to public welfare; providing compensation to residents of state institutions; accepting volunteer services; authorizing rule promulgation for child cost of care; authorizing ward institutional placement for respite care; allowing the commissioner to consent to ward surgical operations; concerning the discharge of a committed patient; providing for a hospital program plan; concerning local welfare hearing; regarding child support; amending Minnesota Statutes 1976, Sections 246.36; 252A.11, Subdivision 3; 252A.13, Subdivision 1; 253A.15, Subdivision 11; 253A.17, Subdivision 9; 256.045, Subdivision 2; Chapter 246, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 252.27, Subdivision 2; 256.873; repealing Minnesota Statutes 1976, Section 246.55.

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

Clawson, Berkelman, McEachern, Wigley and Swanson introduced:

H. F. No. 1827, A bill for an act relating to public welfare; establishing a revolving fund for data processing services; providing an appropriation; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

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

Cohen introduced:

H. F. No. 1828, A bill for an act relating to health; providing catastrophic health expense protection for certain persons requiring long-term nursing care; amending Minnesota Statutes, 1977 Supplement, Section 62E.52, Subdivision 3a.

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

Pehler, McCarron, Patton, Moe and Berglin introduced:

H. F. No. 1829, A bill for an act relating to dissolution; permitting establishment of counseling programs; appropriating money.

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

Anderson, G.; Swanson; Clark; Wenstrom and Heinitz introduced:

H. F. No. 1830, A bill for an act relating to nursing homes; authorizing sharing of administrators between certain hospitals and nursing homes; amending Minnesota Statutes 1976, Section 144A.04, Subdivision 5.

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

Clark, McCarron, Samuelson, Norton and Skoglund introduced:

H. F. No. 1831, A bill for an act relating to public welfare; extending the pilot dental health program; appropriating money; amending Laws 1976, Chapter 305, Sections 3 and 4, Subdivision 3.

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

Berglin, Heinitz, Clark, Clawson and Rice introduced:

H. F. No. 1832, A bill for an act relating to public welfare; assistance to families with dependent children; requiring commissioner to make certain rules; amending Minnesota Statutes 1976, Section 256.74, Subdivision 1.

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

Wenstrom, Cummiskey, Fugina, Laidig and Jude introduced:

H. F. No. 1833, A bill for an act relating to community colleges; authorizing one additional member for the state board; requiring that one member be a student; amending Minnesota Statutes 1976, Section 136.61, Subdivisions 1 and 1a.

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

Enebo, St. Onge, Osthoff, Mangan and Metzen introduced:

H. F. No. 1834, A bill for an act relating to labor; increasing fees for boiler inspection and engineers' licenses; amending Minnesota Statutes 1976, Sections 183.545, Subdivisions 1, 2, 3, and 4; and 183.57, Subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Pehler, Metzen, Enebo, Pleasant and Gunter introduced:

H. F. No. 1835, A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Laidig introduced:

H. F. No. 1836, A bill for an act relating to authorizing Washington county, the city of Stillwater, and the town of Stillwater to jointly exercise planning and land use control powers; applying the authorization retroactively.

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

Biersdorf, Sarna, Osthoff, Battaglia and Munger introduced:

H. F. No. 1837, A bill for an act relating to solid waste; concerning junk yards; limiting the establishment of new junk yards; allowing the establishment of county junk yards.

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

Pehler, Patton, Brinkman, Niehaus and McEachern introduced:

H. F. No. 1838, A bill for an act relating to the St. Cloud metropolitan transit commission; providing paratransit services authority; permitting contracts for certain services; amending Laws 1969, Chapter 1134, Sections 1, Subdivision 5; and 3, by adding a subdivision.

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

Begich and Battaglia introduced:

H. F. No. 1839, A bill for an act relating to political subdivisions; authorizing loans to acquire town halls; amending Minnesota Statutes, 1977 Supplement, Section 465.73.

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

Vanasek, Berg, Corbid and Friedrich introduced:

H. F. No. 1840, A bill for an act relating to agriculture; shade tree disease control program; providing reforestation grants to certain municipalities; amending Minnesota Statutes, 1977 Supplement, Section 18.023, Subdivision 3a.

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

McCarron, Voss, Neisen, Simoneau and Novak introduced:

H. F. No. 1841, A bill for an act relating to the metropolitan airports commission; prohibiting the expansion of Anoka county airport.

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

McCarron, Voss, Neisen, Simoneau and Novak introduced:

H. F. No. 1842, A bill for an act relating to the establishment of local airport zoning authorities; amending Minnesota Statutes 1976, Section 360.063, by adding a subdivision.

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

Petraleso, Moe, Fudro and Arlandson introduced:

H. F. No. 1843, A bill for an act relating to taxation; exempting certain taxicabs from gasoline and special fuels tax; amending Minnesota Statutes 1976, Sections 296.01, by adding a subdivision; 296.02, Subdivision 1; 296.025, Subdivision 1; and 296.18, Subdivision 1.

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

Berglin introduced:

H. F. No. 1844, A bill for an act relating to taxation; denying tax deductions for substandard rental housing; amending Laws 1975, Chapter 226, Section 4.

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

Patton, Vanasek, Jensen, Johnson and Stanton introduced:

H. F. No. 1845, A bill for an act relating to taxation; income tax; exempting income from volunteer firemen's pensions; amending Minnesota Statutes, 1977 Supplement, Section 290.08, Subdivision 6.

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

Samuelson introduced:

H. F. No. 1846, A bill for an act relating to taxation; repealing the gross premiums tax on insurance companies and certain reciprocal or interinsurance exchange transactions; making necessary revisions in statutory language; amending Minnesota Statutes 1976, Sections 60A.20, Subdivisions 1, 8, 13 and 16; 71A.04; and 72A.41, Subdivision 1; repealing Minnesota Statutes 1976, Sections 60A.15; 60A.19, Subdivision 8; 60A.20, Subdivisions 11 and 12; 61A.49; and 62E.13, Subdivision 9.

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

Abeln, Jensen, Sabo and Dean introduced:

H. F. No. 1847, A bill for an act relating to highways; designating the Hubert H. Humphrey Highway; amending Minnesota Statutes 1976, Section 161.14, Subdivision 13, and by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

House Concurrent Resolution No. 6

A Concurrent Resolution supporting the American Family Farmer.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to inform the House that the Senate is ready to meet with the House at 11:45 a.m., Tuesday, January 24, 1978, to receive the message of the Honorable Rudy Perpich, Governor of the State of Minnesota, which will be delivered at 12:00 noon.

The Senate has appointed a committee of five members of the Senate to act with a similar committee on the part of the House to escort the Governor to the Joint Convention.

Messrs. Lessard, Setzepfandt, Engler, Knoll and Mrs. Knaak have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the Joint Convention in the House chamber on Tuesday, January 24, 1978: Abeln, Berkelman, Clark, Cohen and Redalen.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Be It Resolved, by the Committee on Rules and Legislative Administration, that paragraph 3 of House Rule 1.16, as it appears in the Journal of the House for the 9th day, providing that after May 20, 1977, the House shall not act on other than certain bills, is hereby suspended for the duration of the 70th Legislative Session or until such time as a new date is set by the House.

The report was adopted.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders one day.

MOTIONS AND RESOLUTIONS

Wenzel moved that the name of Berkelman be added as an author on H. F. No. 1717. The motion prevailed.

Kroening moved that the name of Jaros be added as an author on H. F. No. 1748. The motion prevailed.

Hanson moved that the name of Hokanson be added as an author on H. F. No. 1747. The motion prevailed.

Berkelman moved that the names of Byrne and Murphy be added as authors on H. F. No. 1736. The motion prevailed.

Berkelman moved that the name of Byrne be added as an author on H. F. No. 1744. The motion prevailed.

Berkelman moved that the names of Osthoff, Murphy and Byrne be added as authors on H. F. No. 1729. The motion prevailed.

Forsythe moved that the names of Onnen and Dean be added as authors on H. F. No. 1720. The motion prevailed.

Nelson moved that the name of Kaley be added as an author on H. F. No. 1022. The motion prevailed.

Samuelson moved that the name of McCollar be added as an author on H. F. No. 1814. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, January 24, 1978. 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 24, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

