

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

SIXTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 24, 1978

The House of Representatives convened at 11:30 a.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	Corbid	Jude	Nelsen, B.	Sherwood
Albrecht	Cummiskey	Kahn	Nelsen, M.	Sieben, H.
Anderson, B.	Dean	Kaley	Nelson	Sieben, M.
Anderson, D.	Den Ouden	Kelly, R.	Niehau	Skoglund
Anderson, G.	Eckstein	Kelly, W.	Norton	Smogard
Anderson, I.	Eken	Kempe, A.	Novak	Spanish
Anderson, R.	Ellingson	Kempe, R.	Onnen	Stanton
Battaglia	Erickson	King	Osthoff	Stoa
Beauchamp	Esau	Knickerbocker	Patton	Suss
Begich	Evans	Kostohryz	Pehler	Swanson
Berg	Ewald	Kroening	Peterson	Tomlinson
Berglin	Farcy	Kvam	Petrafeso	Vanasek
Berkelman	Fjoslien	Laidig	Pleasant	Voss
Biersdorf	Forsythe	Langseth	Prahl	Waldorf
Birnstihl	Friedrich	Lehto	Redalen	Welch
Brandl	Fudro	Lemke	Reding	Wenstrom
Braun	Fugina	Mangan	Rice	Wenzel
Brinkman	George	Mann	Rose	White
Byrne	Gunter	McCarron	St. Onge	Wieser
Carlson, A.	Hanson	McCollar	Samuelson	Wigley
Carlson, D.	Heinitz	McDonald	Sarna	Williamson
Carlson, L.	Hokanson	McEachern	Savelkoul	Wynia
Casserly	Jacobs	Metzen	Scheid	Zubay
Clark	Jaros	Moe	Schulz	Speaker Sabo
Clawson	Jensen	Munger	Searle	
Cohen	Johnson	Murphy	Searles	

A quorum was present.

Adams, Arlandson, Enebo, Kalis, Neisen and Simoneau were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Suss 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.

REPORTS OF STANDING COMMITTEES

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1792, A bill for an act relating to the Lincoln-Pipestone and Rock county rural water systems; providing for the assessment of costs.

Reported the same back with the following amendments:

Page 1, line 12, after "system" insert "or users of the system".

Page 1, line 13, delete "states" and insert "state".

Page 1, line 14, delete "his" and insert "their".

Page 1, after line 16 insert a new section to read:

"Sec. 2. This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 686, A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1792 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 686 was read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Lemke, Birnstihl, Friedrich, Schulz and Eckstein introduced:

H. F. No. 1848, A bill for an act relating to food; providing for label requirements on imported meat and dairy products; amending Minnesota Statutes 1976, Chapter 31, by adding a section.

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

Pehler; Patton; Sieben, H.; Faricy and Heinitz introduced:

H. F. No. 1849, A bill for an act relating to commerce; establishing a small business consortium; creating an advisory task force on small business development programs; appropriating money.

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

Laidig; Carlson, D.; Waldorf; Albrecht and Sherwood introduced:

H. F. No. 1850, A bill for an act relating to liquor; prohibiting the sale or offering of liquor endorsed by celebrities; amending Minnesota Statutes 1976, Section 340.15, by adding a subdivision.

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

Mann, Kalis, Erickson, Lemke and Stanton introduced:

H. F. No. 1851, A bill for an act relating to county libraries; authorizing increased membership on county library boards; amending Minnesota Statutes 1976, Section 375.33, Subdivision 4.

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

Rose; Redalen; Nelsen, B.; Erickson and Laidig introduced:

H. F. No. 1852, A bill for an act relating to education; school aids; adjusting the foundation aid formula in certain cases of decreasing enrollment; appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 124.17, Subdivision 1; and Laws 1977, Chapter 447, Article I, Section 23, Subdivision 2.

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

Begich, Munger, Fugina, PrahI and Anderson, I., introduced:

H. F. No. 1853, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1976, Section 117.47; repealing Minnesota Statutes 1976, Sections 117.46; and 117.461.

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

Mann, Peterson, Erickson and Esau introduced:

H. F. No. 1854, A bill for an act relating to the Minnesota historical society; designating the site for an agricultural interpretive center.

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

Lehto, Berkelman, Jaros, Begich and Battaglia introduced:

H. F. No. 1855, A bill for an act relating to game and fish; empowering the commissioner of natural resources to authorize the use of two lines for angling while trolling on Lake Superior; amending Minnesota Statutes 1976, Section 101.41, by adding a subdivision.

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

Begich, Battaglia, Fugina, Munger and PrahI introduced:

H. F. No. 1856, A bill for an act relating to local government; setting conditions for the removal of local government units to permit mining.

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

Suss; Vanasek; Sieben, H.; Laidig and Rice introduced:

H. F. No. 1857, A bill for an act relating to veterans; requiring all counties to appoint a veterans service officer; amending Minnesota Statutes 1976, Section 197.60, Subdivision 1.

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

Patton, Beauchamp, Biersdorf, Reding and Moe introduced:

H. F. No. 1858, A bill for an act relating to retirement; clarifying various ambiguous retirement provisions; removing various obsolete gender references; amending Minnesota Statutes 1976, Sections 352B.14, Subdivisions 3 and 4; 352B.26, Subdivisions 2 and 3; 352B.28; 352D.05, Subdivision 3; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; Minnesota Statutes, 1977 Supplement, Sections 69.772, Subdivision 2; 352B.08, Subdivision 2; 422A.09, Subdivision 3; and 422A.33, Subdivision 3; Laws 1969, Chapter 1088, Section 4, Subdivision 4; and Laws 1977, Chapter 61, Section 5; repealing Minnesota Statutes 1976, Sections 423.22 to 423.36; and 425.01 to 425.09.

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

Patton, Beauchamp, Biersdorf, Reding and Moe introduced:

H. F. No. 1859, A bill for an act relating to retirement; providing for an exclusion from public pension coverage for those persons covered by certain federal public service employment programs in compliance with federal regulations; amending Minnesota Statutes 1976, Sections 69.29; 136.80, Subdivision 1; 352B.01, Subdivision 2; 353.64, by adding a subdivision; 354A.10; 423.23; 423.372; 423.43; 423.801, Subdivision 2; 424.03; Chapter 356, by adding a section; and Laws 1969, Chapter 950, Section 1; Minnesota Statutes, 1977 Supplement, Sections 352.01, Subdivision 2B; 353.01, Subdivision 2b; 354.05, Subdivision 2; 422A.09, Subdivision 3.

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

Reding, Moe, Biersdorf, Patton and Beauchamp introduced:

H. F. No. 1860, A bill for an act relating to public employees retirement association; providing for adjusted accrual dates for payment of annuities, survivor benefits and disability benefits, and clarifying membership requirements for elected officials; amending Minnesota Statutes 1976, Sections 353.29, Subdivision 7; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.657, Subdivision 2a; and Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; 353.29, Subdivision 8; and 353.31, Subdivision 8.

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

Reding, Patton, Biersdorf and Beauchamp introduced:

H. F. No. 1861, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1976, Sections 353.01, Subdivisions 12, 16, and 20; 353.017, Subdivision 2; 353.30, by adding a subdivision; 353.32, Subdivisions 5 and 9; 353.33, Subdivision 11; 353.34, Subdivision 6; 353.656, Subdivision 6; 356.32, Subdivision 1; Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; and 353.36, Subdivision 2; repealing Minnesota Statutes, 1977 Supplement, Section 353.32, Subdivision 7.

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

Patton, Biersdorf, Beauchamp, Zubay and Lemke introduced:

H. F. No. 1862, A bill for an act relating to the Minnesota state retirement system; transferring the medical advisor for certain retirement associations to the department of economic security; amending Minnesota Statutes 1976, Sections 352.03, Subdivision 8; and 353.33, Subdivision 6a.

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

Reding, Beauchamp, Hokanson, Patton and Wieser introduced:

H. F. No. 1863, A bill for an act relating to the operation of state government; allowing the state to make advance payments or deposits for certain items; providing for centralized rental payments to be made from the general services revolving fund; extending the time in which to repay loans from the general fund to revolving funds; allowing the commissioner of administration to publish agency descriptions in the state register biennially instead of annually; amending Minnesota Statutes 1976, Section 16.096; Minnesota Statutes, 1977 Supplement, Sections 15.0412, Subdivision 2; 16.80, Subdivision 1; and 16A.126.

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

Beauchamp, Patton, Reding, Moe and Biersdorf introduced:

H. F. No. 1864, A bill for an act relating to retirement; providing for biennial local police and paid fire fund actuarial valuations; amending Minnesota Statutes 1976, Sections 69.77, Subdivisions 1, 2 and by adding a subdivision; 69.773, Subdivision 2; 69.78; 356.20, Subdivision 2; 356.215, Subdivisions 2 and 4; Chapter 356, by adding a section; Laws 1955, Chapter 75, Section 9, as added and Section 12, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapter 446, Section 7, Subdivision 1; Laws 1965, Chapter 458, Section 3, Subdivision 2; Laws 1965, Chapter 498, Section 1, Subdivision 1; Laws 1967, Chapter 736, Section 11, Subdivision 1; Laws 1967, Chapter 775, Section 8; Laws 1967, Chapter 798, Section 1, Subdivisions 1 and 2; Laws 1969, Chapter 576, Section 1; Laws 1969, Chapter 641, Section 2, Subdivision 1; Laws 1971, Chapter 51, Section 9, and Section 10, Subdivisions 1 and 2; Laws 1971, Chapter 810, Section 7; Laws 1973, Chapter 587, Section 1; Laws 1975, Chapter 424, Sections 10 and 11; repealing Minnesota Statutes 1976, Sections 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131; and Laws 1963, Chapter 643, Section 27.

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

Patton, Biersdorf, Beauchamp, Reding and Faricy introduced:

H. F. No. 1865, A bill for an act relating to retirement; fractional years of service for judges; amending Minnesota Statutes 1976, Sections 490.121, Subdivision 4; and 490.124, Subdivision 1.

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

Braun and Corbid introduced:

H. F. No. 1866, A bill for an act relating to the firemen's relief association of the city of Karlstad; computation of years of service for volunteer firemen.

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

Birnstihl, Mann, McDonald, Lemke and Kahn introduced:

H. F. No. 1867, A bill for an act relating to public improvements; authorizing the department of administration and the capitol area architectural and planning board to plan for the construction of a new facility for the pollution control agency, the department of natural resources, the department of agriculture, and other state offices which presently lease space in the metropolitan area; appropriating money.

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

Faricy and Norton introduced:

H. F. No. 1868, A bill for an act relating to Ramsey county; exempting the law librarian from membership in the public employees retirement association.

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

Waldorf, Swanson, McCarron, Berkelman and Heinitz introduced:

H. F. No. 1869, A bill for an act relating to public health; authorizing the contractual provision of statutorily prescribed public health services by the commissioner of health; modifying the definition of child in the maternal and child nutrition act; increasing the commissioner's rule-making authority regarding children's camps; expanding scope of functions that may be performed by local health agencies; amending Minnesota Statutes 1976, Sections 144.74; 145.031, Subdivision 1; 145.55, Subdivision 1; 145.892; 145.893; 145.918, Subdivision 2; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 12.56; 12.57; and 144.146, Subdivision 2.

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

Carlson, L.; Berglin; Anderson, B.; Scheid and Heinitz introduced:

H. F. No. 1870, A bill for an act relating to nursing; providing for issuance of certain licenses without examination to persons receiving certain training or licensing outside this state; amending Minnesota Statutes 1976, Section 148.211, Subdivision 2; and 148.291, Subdivision 3.

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

Faricy and Simoneau introduced:

H. F. No. 1871, A bill for an act relating to education; vocational-technical schools; providing tuition exemption for certain veterans.

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

Begich, Enebo and Prah1 introduced:

H. F. No. 1872, A bill for an act relating to school districts; modifying and simplifying procedures for termination of certain school superintendents; amending Minnesota Statutes 1976, Section 125.12, by adding a subdivision.

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

McCarron, Clawson, Mangan, Sarna and Jacobs introduced:

H. F. No. 1873, A bill for an act relating to the county of Anoka; validating the acquisition of and payment for certain real estate.

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

Begich, Battaglia and Fugina introduced:

H. F. No. 1874, A bill for an act relating to St. Louis county; limiting the manner in which costs to collect a judgment may be defrayed; amending Laws 1961, Chapter 302, Section 3.

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

Begich; Battaglia; Anderson, I.; Fugina and PrahI introduced:

H. F. No. 1875, A bill for an act relating to taxation; providing an income tax credit for senior citizens who pay residential heating costs; providing rebate for persons with credit in excess of tax liability; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

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

Stanton, Esau, Eckstein and Smogard introduced:

H. F. No. 1876, A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax; amending Minnesota Statutes, 1977 Supplement, Section 275.50, Subdivision 5.

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

McEachern and McCarron introduced:

H. F. No. 1877, A bill for an act relating to taxation; sales tax; exempting bibles from 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.

Sieben, M., introduced:

H. F. No. 1878, A bill for an act relating to drivers licenses; application and filing with clerk of the district court; providing that the commissioner of public safety may appoint an agent to assist the clerk in accepting applications under certain circumstances; amending Minnesota Statutes 1976, Section 171.06, Subdivision 4.

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

Lemke; Nelsen, M.; Murphy and McCollar introduced:

H. F. No. 1879, A bill for an act relating to the trunk highway system; discontinuing and removing certain routes therefrom; adding a new route in substitution of an existing route.

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

Wieser and Redalen introduced:

H. F. No. 1880, A bill for an act relating to town roads; providing that town roads are vacated after 25 years without maintenance; amending Minnesota Statutes 1976, Section 164.07, by adding a subdivision.

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

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 26, 1978. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention for the purpose of receiving the Governor's message to the Legislature. The motion prevailed and the Speaker declared the House stands recessed.

RECESS

RECONVENED

The House reconvened at 11:45 a.m. and was called to order by the Speaker.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the House Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Convention to order.

Prayer was offered by the Chaplain.

The roll being called, the following Senators answered to their names: Anderson, Ashbach and Bang.

Anderson, I., moved that further proceedings of the roll call be dispensed with. The motion prevailed.

A quorum was declared present.

The Sergeant at Arms announced the arrival of the Constitutional Officers, and they were escorted to the seats reserved for them at the rostrum.

The Sergeant at Arms announced the arrival of the Chief Justice and the Associate Justices of the Supreme Court and they were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Rudy Perpich, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Rudy Perpich was presented to the Joint Convention by the President, and the Governor delivered "A Message to the Legislature" to the members of the Convention and their guests.

Following the address, Anderson, I., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention stands adjourned.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 26, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives