

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 22, 1979

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:

Aasness	Eken	Kahn	Niehaus	Sherwood
Adams	Elioff	Kaley	Norman	Sieben, H.
Ainley	Ellingson	Kalis	Norton	Sieben, M.
Albrecht	Enebo	Kelly	Novak	Simoneau
Anderson, D.	Erickson	Kempe	Nysether	Stadum
Anderson, G.	Esau	Knickerbocker	Olsen	Stoa
Anderson, I.	Evans	Kroening	Onnen	Stowell
Anderson, R.	Ewald	Kvam	Osthoff	Sviggum
Battaglia	Faricy	Laidig	Otis	Swanson
Begich	Fjoslien	Lehto	Patton	Thiede
Berglin	Forsythe	Levi	Pavlak	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Biersdorf	Fudro	Ludeman	Peterson	Valento
Blatz	Greenfield	Luknic	Piepho	Vanasek
Brinkman	Halberg	Mann	Pleasant	Voss
Byrne	Haukoos	McCarron	Prahl	Waldorf
Carlson, D.	Heap	McDonald	Redalen	Weaver
Carlson, L.	Heinitz	McEachern	Reding	Welch
Casserly	Hoberg	Mehrkens	Rees	Welker
Clark	Hokanson	Metzen	Reif	Wenzel
Clawson	Jacobs	Minne	Rice	Wieser
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

A quorum was present.

Anderson, B.; Corbid; Friedrich; Kostohryz; Nelson and Wigley were excused.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Casserly, Blatz, Norton, Swanson and Pleasant introduced:

H. F. No. 106, A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, by adding a section.

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

Lehto, Sherwood, Begich, Zubay and Berkelman introduced:

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; Welch; Eken and Anderson, B., introduced:

H. F. No. 108, A bill for an act relating to taxation; inheritance; adopting federal alternative valuation provisions for family businesses and farms; amending Minnesota Statutes 1978, Chapter 291, by adding a section.

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

Anderson, G., introduced:

H. F. No. 109, A bill for an act relating to corrections; establishing grants-in-aid for construction or renovation of lockups, jails and other correctional facilities; appropriating money.

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

Murphy introduced:

H. F. No. 110, A bill for an act relating to the state building code; providing for local option for use of ungraded lumber; appropriating money; amending Minnesota Statutes 1978, Section 16.861, Subdivision 4.

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

Hoberg and Valan introduced:

H. F. No. 111, A bill for an act relating to Independent School District No. 152; authorizing it to add any portion or all of its operating debt for the fiscal year ending June 30, 1978 to its statutory operating debt as of June 30, 1977 for certain purposes.

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

Thiede and Crandall introduced:

H. F. No. 112, A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pleasant and Kahn introduced:

H. F. No. 113, A bill for an act relating to taxation; sales tax; exempting feminine hygiene products; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Battaglia, Begich, Pahl, Sherwood and Thiede introduced:

H. F. No. 114, A bill for an act relating to the state building code; providing a county option for code applicability; amending Minnesota Statutes 1978, Section 16.851.

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

Enebo introduced:

H. F. No. 115, A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain court reporters.

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

Ewald, Faricy, Onnen, Wieser and Brinkman introduced:

H. F. No. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

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

Sieben, M., introduced:

H. F. No. 117, A bill for an act relating to highway traffic regulation; requiring motorcycle operators and passengers to wear protective headgear; eliminating the provision for reduction of damages for persons not wearing protective headgear; eliminating report on the effects of limiting the motorcycle helmet requirement; amending Minnesota Statutes 1978, Section 169.974, Subdivision 4; repealing Minnesota Statutes 1978, Section 169.974, Subdivision 6; and Laws 1977, Chapter 17, Section 5.

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

Redalen, Wieser, Stoa, Stowell and Mehrkens introduced:

H. F. No. 118, A bill for an act relating to state forests; increasing state payments in lieu of taxes to counties; establishing procedures for disposal of excess agricultural land and farm homesteads in the Richard J. Dorer Memorial Hardwood Forest; amending Minnesota Statutes 1978, Section 89.036.

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

Redalen, Friedrich and Wieser introduced:

H. F. No. 119, A bill for an act relating to state lands; providing for the sale of certain former railroad rights-of-way to private persons.

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

Reding, Peterson, Battaglia, Simoneau and Levi introduced:

H. F. No. 120, A bill for an act relating to taxation; motor vehicle excise tax; defining purchase price; providing for a used motor vehicle credit on the excise tax in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Reding, Peterson, Battaglia, Simoneau and Levi introduced:

H. F. No. 121, A bill for an act relating to taxation; motor vehicle, excise; providing a credit on the excise tax for the value of a motor vehicle destroyed in an accident in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Nelson and Laidig introduced:

H. F. No. 122, A bill for an act relating to juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1978, Section 260.315; and Chapter 260, by adding a section.

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

Nelson introduced:

H. F. No. 123, A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; repealing Minnesota Statutes 1978, Section 609.32.

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

Hokanson, McDonald, Jacobs, Minne and Onnen introduced:

H. F. No. 124, A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Reding, Minne, Stowell, Johnson, D., and Murphy introduced:

H. F. No. 125, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Reding, Kahn, Murphy, Stowell and Johnson, D., introduced:

H. F. No. 126, A bill for an act relating to taxation; motor vehicle excise; allowing a credit for a commodity trade-in in determining the purchase price of a moped; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Clawson, Simoneau, Jacobs, McDonald and Rose introduced:

H. F. No. 127, A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

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

Luknic introduced:

H. F. No. 128, A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Lehto, Vanasek, Clark, Weaver and Heinitz introduced:

H. F. No. 129, A bill for an act relating to the military; providing payments to certain government employees while on military leave; amending Minnesota Statutes 1978, Section 192.26, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler and Patton introduced:

H. F. No. 130, A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Simoneau introduced:

H. F. No. 131, A bill for an act relating to crimes; setting the minimum age for the use of tobacco; providing penalties; amending Minnesota Statutes 1978, Sections 325.765, Subdivision 1; and 609.685.

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

Simoneau introduced:

H. F. No. 132, A bill for an act relating to crimes; defining criminal trespass; prohibiting smoking in posted schools; amending Minnesota Statutes 1978, Section 609.605.

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

Olsen, Tomlinson, Zubay, Berkelman and Pehler introduced:

H. F. No. 133, A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

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

Den Ouden; Wenzel; Anderson, B.; Johnson, D., and Redalen introduced:

H. F. No. 134, A bill for an act relating to the state building code; making the code nonapplicable in certain counties; amending Minnesota Statutes 1978, Sections 16.851, Subdivision 1; 16.861, Subdivision 1; and 16.866, Subdivision 1.

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

Jaros, Begich, Berglin, Blatz and Onnen introduced:

H. F. No. 135, A bill for an act relating to taxation; sales; exempting certain residential utilities; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; and 297A.25, Subdivision 1.

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

Novak, Valento and Sarna introduced:

H. F. No. 136, A bill for an act relating to highway traffic regulations; setting speed limits; reducing the speed limit in certain urban districts; amending Minnesota Statutes 1978, Section 169.14, Subdivision 2.

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

Berglin, Swanson and Carlson, L., introduced:

H. F. No. 137, A bill for an act relating to health care; providing benefits for pre-natal care under the Minnesota comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Murphy, Enebo, Simoneau and Evans introduced:

H. A. No. 2, A proposal to study unemployment patterns.

The advisory was referred to the Committee on Labor-Management Relations.

MOTIONS AND RESOLUTIONS

Reif, Olsen, Piepho, Swanson and Niehaus introduced:

House Resolution No. 2, A house resolution relating to D-Day.

SUSPENSION OF RULES

Reif moved that the Rules be so far suspended that House Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 2

A house resolution relating to D-Day.

Whereas, smoking is the number one cause of preventable death; and,

Whereas, approximately 850,000 Minnesotans smoke; and,

Whereas, each year 325,000 Americans die prematurely from the effects of smoking; and,

Whereas, cigarette smoking is the major cause of emphysema, chronic bronchitis, lung cancer, and one of the major causes of heart diseases; and,

Whereas, pregnant women who smoke have a greater number of stillbirths than non-smoking women, and their infants are more likely to die within the first month; and,

Whereas, exposure to tobacco smoke can precipitate asthma attacks and breathing difficulties for those suffering from chronic lung diseases; and,

Whereas, the Minnesota Lung Association and Minnesota Division of the American Cancer Society co-sponsor Minnesota D-Day as a statewide health effort to reduce smoking; and,

Whereas, the State Departments of Education and Health, Minnesota Public Health Association, Minnesota Interagency Council on Smoking and Health, Association for Non-Smokers' Rights, Minnesota Medical Association, and Minnesota Heart Association support the D-Day project; *now, therefore*,

Be it resolved, by the House of Representatives of the state of Minnesota that it supports D-Day and recommends that its members and staff who smoke sign the pledge to quit smoking on D-Day, January 25, 1979.

Reif moved that House Resolution No. 2 be now adopted. The motion prevailed and the resolution was adopted.

Kempe moved that the name of Crandall be added as an author on H. F. No. 102. The motion prevailed.

ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION

The chairman announced the following changes in House Standing Committee assignments:

Appropriations (Division on Health, Welfare and Corrections): strike the name of Welch and add the name of Wynia.

Appropriations (Division on Education): strike the name of Wynia and add the name of Welch.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, January 23, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Tuesday, January 23, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives