

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

TENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 25, 1979

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

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

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

Enebo, Rice, Metzen, Fritz and Norman introduced:

H. F. No. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 423.076; 473.419; and Chapter 181, by adding a section.

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

Begich; Anderson, I.; Battaglia; Murphy and Carlson, D., introduced:

H. F. No. 158, A bill for an act relating to waters; requiring approval by affected county boards of designation of wild and scenic rivers; amending Minnesota Statutes 1978, Section 104.35, Subdivision 2.

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

Kempe introduced:

H. F. No. 159, A bill for an act relating to the city of Mendota Heights; authorizing an increase in firefighters' service pensions; amending Laws 1973, Chapter 173, Section 1, Subdivisions 1 and 2.

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

Berglin, Heinitz, Hokanson, Rose and Rice introduced:

H. F. No. 160, A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.

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

Drew, Blatz, Ainley, Olsen and Kelly introduced:

H. F. No. 161, A bill for an act relating to taxation; income tax; providing for the deduction of post-secondary educational expenses; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

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

McEachern; Nelsen, M.; Osthoff; Niehaus and Valento introduced:

H. F. No. 162, A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

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

McEachern and Welch introduced:

H. F. No. 163, A bill for an act relating to highways; permitting towns to purchase certain gravel pits; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

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

McEachern introduced:

H. F. No. 164, A bill for an act relating to the Minnesota municipal board; providing for the membership of the board; amending Minnesota Statutes 1978, Section 414.01, Subdivision 2.

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.

Mehrkens, Luknic, Jaros, Berglin and Rothenberg introduced:

H. F. No. 165, A bill for an act relating to taxation; exempting certain payments to deceased military personnel from the inheritance tax; appropriating money; amending Minnesota Statutes 1978, Section 291.05.

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

Elioff, Valento, Minne, Battaglia and Prahl introduced:

H. F. No. 166, A bill for an act relating to motor vehicles; repealing the motor vehicle transfer tax; repealing Minnesota Statutes 1978, Section 168B.11.

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

Elioff, Fudro, Minne, Schreiber and Sarna introduced:

H. F. No. 167, A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

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.

Kahn, Faricy, Sherwood, Reif and Lehto introduced:

H. F. No. 168, A bill for an act relating to health; providing an increased tax rate on certain high tar cigarettes and a decreased tax rate on certain low tar cigarettes; appropriating revenue from increased tax for certain health programs; appropriating money for administration; amending Minnesota Statutes 1978, Sections 297.02, Subdivision 1; 297.03, by adding subdivisions; 297.07, Subdivision 1, and by adding a subdivision; 297.13, Subdivision 1; 297.22, by adding a subdivision; and Chapter 297, by adding sections.

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

Wenzel, Minne, Fjoslien, Wieser and Begich introduced:

H. F. No. 169, A bill for an act relating to taxation; exempting farm machinery from the sales tax; reducing motor vehicle excise tax to two percent and exempting used motor vehicles; amending Minnesota Statutes 1978, Sections 297A.25, Subdivision 1; 297B.02; and 297B.03.

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

Reding, Niehaus and Kalis introduced:

H. F. No. 170, A bill for an act relating to regional development; providing for the dissolution and property tax levies of regional development commissions; amending Minnesota Statutes 1978, Sections 462.387, by adding a subdivision; and 462.396, Subdivision 2.

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

Murphy, Battaglia, Thiede and Minne introduced:

H. F. No. 171, A bill for an act relating to the state building code; making the code optional for certain localities; providing for the inspection of Minnesota grown lumber; amending Minnesota Statutes 1978, Section 16.851; and Chapter 16, by adding a section; and repealing Minnesota Statutes 1978, Section 16.84, Subdivision 2a.

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

Luknic; Johnson, D.; Heap; Vanasek and Hoberg introduced:

H. F. No. 172, A bill for an act relating to retirement; increasing the minimum period of service required to qualify for legislators retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

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

Long and Otis introduced:

H. F. No. 173, A bill for an act relating to retirement; increasing the vesting period required for legislator's retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

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

Vanasek, Munger, Dean and Stoa introduced:

H. F. No. 174, A bill for an act relating to pollution control; authorizing the pollution control agency to enter property to remove pollutants under certain circumstances; amending Minnesota Statutes 1978, Sections 115.01, by adding a subdivision; and 115.061.

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

Pavlak, Kelly and Pleasant introduced:

H. F. No. 175, A bill for an act relating to metropolitan government; fixing and limiting the powers of the metropolitan sports facilities commission; amending Minnesota Statutes 1978, Sections 473.556, Subdivisions 5 and 7; 473.568, Subdivision 1; 473.581, Subdivisions 1, 4 and 5; and 473.595, Subdivision 1; repealing Minnesota Statutes 1978, Sections 473.551, Subdivision 7; 473.552; 473.571; 473.581, Subdivision 3; and 473.591.

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

Heinitz and Knickerbocker introduced:

H. F. No. 176, A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

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

Jacobs, Brinkman, Kvam and Dempsey introduced:

H. F. No. 177, A bill for an act relating to taxation, providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; and Chapter 429, by adding a section; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

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

Rose, Valento, Novak, Fritz and Levi introduced:

H. F. No. 178, A bill for an act relating to taxation; property; providing for agreements for joint assessments by certain political subdivisions; amending Minnesota Statutes 1978, Section 273.072, Subdivision 1.

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

Rose, Valento, Novak, Fritz and Osthoff introduced:

H. F. No. 179, A bill for an act relating to retirement; authorizing an increase in service pensions for members of the Lake Johanna Volunteer Firemen's Benefit Association; amending Laws 1975, Chapter 124, Section 1.

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

Pehler, Kelly, McEachern and Patton introduced:

H. F. No. 180, A bill for an act relating to education; requiring the board of education to establish and fill the position of specialist for industrial arts education and to prescribe the duties of the specialist; appropriating money; amending Minnesota Statutes 1978, Section 121.11, by adding a subdivision.

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

Heinitz, Swanson, Blatz, Schreiber and Ellingson introduced:

H. F. No. 181, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance.

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.

Jacobs introduced:

H. F. No. 182, A bill for an act relating to taxation; increasing the amount of deductible losses from out-of-state property; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

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

Jacobs, Munger, Elioff, Carlson, D., and Dean introduced:

H. F. No. 183, A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding a subdivision.

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

Lehto, Laidig, Elioff, Olsen and Byrne introduced:

H. F. No. 184, A bill for an act relating to health; stipulating compliance with the Minnesota clean indoor air act as a requirement for restaurant licensure; establishing a penalty; amending Minnesota Statutes 1978, Sections 144.417, by adding a subdivision; and 157.09; and Chapter 157, by adding a section.

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

Byrne introduced:

H. F. No. 185, A bill for an act relating to public health; providing for the regulation of cigarette and intoxicating liquor advertising; restricting the sale of cigarettes and tobacco products; altering minimum benefits of qualified health insurance plans; appropriating money; amending Minnesota Statutes 1978, Sections 62E.06, Subdivision 1; and 340.15, Subdivision 1.

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

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
77	Jan. 18, 1979	Labor-Management Relations
78	Jan. 18, 1979	Labor-Management Relations
87	Jan. 18, 1979	Transportation
95	Jan. 18, 1979	Environment and Natural Resources
102	Jan. 18, 1979	Judiciary
107	Jan. 22, 1979	Criminal Justice
112	Jan. 22, 1979	General Legislation and Veterans Affairs
125	Jan. 22, 1979	Judiciary
128	Jan. 22, 1979	Environment and Natural Resources
129	Jan. 22, 1979	Governmental Operations
130	Jan. 22, 1979	Commerce, Economic Development and Housing

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 each member of the House of Representatives is eligible to receive 3,000 first-class postage stamps for immediate use and an additional 1,400 first-class postage stamps upon convening of the House in 1980.

The question was taken on the adoption of the report and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the report was adopted.

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 each member of the House of Representatives shall be furnished up to 3,500 letter-size letterheads and 3,500 envelopes; up to 1,000 note-size letterheads and 1,000 envelopes shall be furnished upon request by the member; however, if any member desires, he/she may elect to receive an additional 1,000 8-1/2 by 11 letterheads and matching envelopes in lieu of the note-size stationery and envelopes; and

Be it further resolved, that the Speaker, the DFL Caucus Leader, the IR Caucus Leader, the House Floor Leader, and the chairman of each standing committee and division shall be furnished an additional 1,000 letterheads and 1,000 envelopes, upon request, and shall be authorized to send items of mail necessitated by their official positions for posting by the Chief Clerk, the cost of which shall not be included in the postage allowance provided in the January 24, 1979 Postage Resolution; and

Be it further resolved, that at the time of contracting for such stationery, the Chief Clerk, under the direction of the Committee on Rules and Legislative Administration, shall allow any member to order further amounts of letterheads and envelopes as the said member may desire provided said member shall pay the printer directly for such additional printing; however, sub-

sequent to the original order, any additional letterheads and envelopes shall be ordered by the member directly from the printer and at the member's expense.

The question was taken on the adoption of the report and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the report was adopted.

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 the Chief Clerk is authorized and directed to make payment for long distance telephone expenses incurred by each member of the House of Representatives in the amount of \$600.00 per year. Any unused amounts allotted for the first year of the biennium may be carried over and credited to the amount allotted in the second year of the biennium. Such payment shall be made directly to the billing telephone company and shall be made only upon the presentation to the Chief Clerk, by the member, the bill issued by such company on the credit account established for such member in his capacity as a state representative.

The question was taken on the adoption of the report and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ewald

The motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Blatz moved that her name be stricken as an author on H. F. No. 138. The motion prevailed.

Anderson, G., moved that the name of Kalis be added as an author on H. F. No. 109. The motion prevailed.

Rothenberg moved that the name of Otis be added as an author on H. F. No. 138. The motion prevailed.

Jacobs moved that the name of Anderson, I., be added as an author on H. F. No. 177. The motion prevailed.

Thiede moved that the name of Sviggum be added as an author on H. F. No. 112. The motion prevailed.

Jacobs moved that the name of Schreiber be added as an author on H. F. No. 182. The motion prevailed.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 29, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker pro tem Heinitz declared the House stands adjourned until 2:00 p.m., Monday, January 29, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

