

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

ELEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 29, 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	Nelson	Searles
Adams	Elioff	Kaley	Niehaus	Sherwood
Ainley	Ellingson	Kalis	Norman	Sieben, H.
Albrecht	Enebo	Kelly	Norton	Sieben, M.
Anderson, B.	Erickson	Kempe	Novak	Simoneau
Anderson, D.	Esau	Knickerbocker	Nysether	Stadum
Anderson, G.	Evans	Kroening	Olsen	Stoa
Anderson, I.	Ewald	Kvam	Onnen	Stowell
Anderson, R.	Faricy	Laidig	Osthoff	Sviggum
Battaglia	Fjoslien	Lehto	Otis	Swanson
Begich	Forsythe	Levi	Patton	Thiede
Berglin	Friedrich	Long	Pavlak	Tomlinson
Berkelman	Fritz	Ludeman	Pehler	Valan
Biersdorf	Fudro	Luknic	Peterson	Valento
Blatz	Greenfield	Mann	Piepho	Vanasek
Brinkman	Haukoos	McCarron	Pleasant	Voss
Carlson, D.	Heap	McDonald	Prahl	Waldorf
Carlson, L.	Heinitz	McEachern	Redalen	Weaver
Casserly	Hoberg	Mehrrens	Reding	Welch
Clawson	Hokanson	Metzen	Rees	Welker
Corbid	Jacobs	Minne	Reif	Wenzel
Crandall	Jaros	Moe	Rice	Wieser
Dean	Jennings	Munger	Rose	Wigley
Dempsey	Johnson, C.	Murphy	Rothenberg	Wynia
Den Ouden	Johnson, D.	Nelsen, B.	Sarna	Zubay
Drew	Jude	Nelsen, M.	Schreiber	Speaker Searle

A quorum was present.

Byrne, Clark, Halberg and Kostohryz 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.

REPORTS OF STANDING COMMITTEES

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Schreiber, Clawson, McCarron, Novak and Pleasant introduced:

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section.

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

Begich, Battaglia, Elioff, Prah and Den Ouden introduced:

H. F. No. 187, A bill for an act relating to taxation; sales; exempting residential water and sewer services; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

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

Begich, Battaglia, Elioff, Prah and Den Ouden introduced:

H. F. No. 188, A bill for an act relating to taxation; sales; exempting electricity furnished for residential use; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1; and Chapter 297A by adding a section.

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

Dean, Vanasek, Fjoslien, Rothenberg and Long introduced:

H. F. No. 189, A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

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

Ludeman, Dempsey, Fritz, Reding and Patton introduced:

H. F. No. 190, A bill for an act relating to taxation; inheritance and gift; exempting transfers to a spouse; reducing the rates of tax for certain persons; amending Minnesota Statutes 1978, Sections 291.01, Subdivision 4; 291.03; 291.05; 291.065; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 2, 3, and 5; repealing Minnesota Statutes 1978, Sections 291.051, and 292.01, Subdivision 7.

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

Sieben, H., introduced:

H. F. No. 191, A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.

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

Sieben, M., introduced:

H. F. No. 192, A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.

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

Jacobs, McEachern, Anderson, I., and Murphy introduced:

H. F. No. 193, A bill for an act relating to the department of public safety; financing the divisions of highway patrol and driver's license from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; Chapter 171, by adding a section; and Chapter 299D, by adding a section.

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

Jacobs, Murphy and Anderson, I., introduced:

H. F. No. 194, A bill for an act relating to the department of public safety; financing the division of highway patrol from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; and Chapter 299D, by adding a section.

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

Evans introduced:

H. F. No. 195, A bill for an act relating to taxation; sales; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Berkelman, Blatz, Novak and Evans introduced:

H. F. No. 196, A bill for an act relating to taxation; property tax; establishing a system for exemption from tax and levying an alternative tax on certain industrial rehabilitation and new industrial development projects; amending Minnesota Statutes 1978, Chapter 273, by adding a section.

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

Mehrkens, Norton, Johnson, C., and Stoa introduced:

H. F. No. 197, A bill for an act relating to Independent School District No. 256, Red Wing; appropriating money.

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

Faricy, Norton, Wenzel and Kempe introduced:

H. F. No. 198, A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Chapter 471, by adding a section.

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.

Piepho, Dempsey, Blatz, Haukoos and Searles introduced:

H. F. No. 199, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 6; limiting the consecutive terms of senators and representatives.

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

Wieser, Forsythe, Redalen, Dempsey and Piepho introduced:

H. F. No. 200, A bill for an act proposing an amendment to the Minnesota Constitution to add a section to Article IV; providing a biennial limit on state spending based on changes in state income.

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

Welker, Ludeman, McDonald, Adams and Kroening introduced:

H. F. No. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

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

Welker; Dempsey; Anderson, G.; Mehrkens and Fjoslien introduced:

H. F. No. 202, A bill for an act relating to aeronautics; limiting state regulation of certain federally licensed mechanics; amending Minnesota Statutes 1978, Section 360.018, by adding a subdivision.

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

Forsythe; Sieben, M.; Simoneau; Olsen and Anderson, R., introduced:

H. F. No. 203, A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

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

Kaley, Berglin, Heinitz, Patton and Pleasant introduced:

H. F. No. 204, A bill for an act relating to taxation; property; allowing joint owners of property other than husband and wife to file separate property tax refund claims; amending Minnesota Statutes 1978, Sections 290A.03, Subdivisions 5, 8 and 13; 290A.05 and 290A.08.

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

Johnson, C.; Kalis; Esau; Elioff and Nelsen, B., introduced:

H. F. No. 205, A bill for an act relating to education; increasing eligibility for foundation aid for declining pupil units by permitting a school district with a current increase in pupil units to qualify according to a formula; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

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

Biersdorf, Osthoff, Ainley, Sarna and Welker introduced:

H. F. No. 206, A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors; requiring interest on delayed payments; providing for recovery of damages.

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

Moe, Laidig, Crandall, Novak and Clark introduced:

H. F. No. 207, A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

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

McCarron, Novak, Voss, Valento and Simoneau introduced:

H. F. No. 208, A bill for an act relating to the metropolitan airports commission; providing compensation to property owners adversely affected by the expansion of certain minor use airports; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; and 473.217, by adding a subdivision.

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

McCarron, Novak, Voss, Valento and Simoneau introduced:

H. F. No. 209, A bill for an act relating to the establishment of local airport zoning authorities; amending Minnesota Statutes 1978, 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.

Erickson, Swanson, Waldorf, Blatz and Haukoos introduced:

H. F. No. 210, A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

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

Vanasek, Rees, Patton, Den Ouden and Fjoslien introduced:

H. F. No. 211, A bill for an act relating to transportation; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to certain procedures; establishing variance committees and prescribing their duties; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, by adding a subdivision; 162.13, Subdivision 2; and Chapter 162, by adding sections.

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

Stoa introduced:

H. F. No. 212, A bill for an act relating to crimes; escape from custody; authorizing prosecution of persons who escape jail while serving time as a condition of probation and persons who fail to report to or return from employment while under work release programs; providing penalties; amending Minnesota Statutes 1978, Section 609.485, Subdivision 3, and by adding a subdivision.

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

Kaley, Evans, Adams and Vanasek introduced:

H. F. No. 213, A bill for an act relating to taxation; income tax; clarifying apportionment of charitable contribution deduction for certain taxpayers; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

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

Kaley, Zubay and Brinkman introduced:

H. F. No. 214, A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

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

Kaley, Levi, Berglin, Stowell and Adams introduced:

H. F. No. 215, A bill for an act relating to taxation; income tax; excluding pensions of non-residents from gross income; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.17, Subdivision 3.

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

Pleasant, Swanson, Haukoos, and Weaver introduced:

H. F. No. 216, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; changing the liquor tax revenues of the commission; providing for an advisory referendum; appropriating money; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

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

Jude, Heinitz, Clawson, Kaley and Enebo introduced:

H. F. No. 217, A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1978, Section 144A.17.

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

Fjoslien; Anderson, G.; Anderson, R.; Eken and Aasness introduced:

H. F. No. 218, A bill for an act relating to public utilities; removing cooperative telephone associations from the rate jurisdiction of the public service commission; granting associations an option as to rate regulation; amending Minnesota Statutes 1978, Section 237.06.

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

Brinkman; Anderson, G.; Nelsen, B.; Anderson, D., and Anderson, R., introduced:

H. F. No. 219, A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

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

Greenfield, Simoneau, Ellingson, Ewald and Wieser introduced:

H. F. No. 220, A bill for an act relating to prearranged funeral plans; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 149.12; and 149.13.

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

Wieser, Greenfield, Simoneau, Ellingson and Ewald introduced:

H. F. No. 221, A bill for an act relating to credit unions; providing for the appointment and compensation of a chief executive officer; allowing the chief executive officer to be a director of the credit union; amending Minnesota Statutes 1978, Sections 52.08; and 52.09, Subdivisions 2 and 3.

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

Jude, Ewald, Greenfield, Rothenberg and Rees introduced:

H. F. No. 222, A bill for an act relating to the public service commission; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

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

Eken, McEachern, Esau, Johnson, C., and Knickerbocker introduced:

H. F. No. 223, A bill for an act relating to education; providing that the early retirement incentive be paid at the time and in the manner agreed upon by a teacher and the board of the employing school district; amending Minnesota Statutes 1978, Section 125.61, Subdivision 4.

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

MOTIONS AND RESOLUTIONS

McEachern moved that the name of Berkelman be added as an author on H. F. No. 163. The motion prevailed.

Mehrkens moved that the name of Friedrich be added as an author on H. F. No. 197. The motion prevailed.

Long moved that the names of Jacobs, Haukoos and Kelly be added as authors on H. F. No. 173. The motion prevailed.

Pavlak moved that the name of Greenfield be added as an author on H. F. No. 175. The motion prevailed.

Murphy moved that the name of Fjoslien be added as an author on H. F. No. 171. The motion prevailed.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 1, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 1, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

