

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

THIRTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 5, 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	Drew	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Sviggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pavlak	Valan
Biersdorf	Fudro	Ludeman	Pehler	Valento
Blatz	Greenfield	Luknic	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Weaver
Carlson, L.	Heinitz	McEachern	Redalen	Welch
Casserly	Hoberg	Mehrkens	Reding	Welker
Clark	Hokanson	Metzen	Rees	Wenzel
Clawson	Jacobs	Minne	Reif	Wieser
Crandall	Jaros	Moe	Rice	Wigley
Dean	Jennings	Munger	Rose	Wynia
Dempsey	Johnson, C.	Murphy	Rothenberg	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle

A quorum was present.

Corbid, Eken, Kostohryz and Searles were excused.

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

ELECTION OF OFFICER

Knickerbocker placed the name of Bruno B. Aijala in nomination for Postmaster.

There being no further nominations, the Speaker declared the nominations closed.

The roll being called on the election of the Postmaster, the following voted for the nominee:

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

The nominee, having received the most votes was declared duly elected Postmaster.

OATH OF OFFICE

The oath of office was administered to the Postmaster-elect by the Speaker.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Aasness, Peterson, Johnson, C., and Fjoslien introduced:

H. F. No. 269, A bill for an act relating to agriculture; providing a wetlands property tax credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

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.

Pehler, Dempsey, Osthoff, Faricy and Den Ouden introduced:

H. F. No. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

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

Novak; Anderson, I., Jacobs; Faricy and Simoneau introduced:

H. F. No. 271, A bill for an act relating to taxation; allowing a one-time exclusion of gain up to \$100,000 on the sale of a principal residence of an individual who has attained age 55; allowing an income tax credit for blind dependents; establishing a presumption of ownership for inheritance tax purposes in property held jointly by husband and wife; providing a minimum homestead exemption from the inheritance tax; equalizing inheritance tax exemptions; equalizing gift tax rates and credits between spouses; removing the sales tax from water used for residential use; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 291.01, Subdivision 4; 291.03; 291.05; 292.07, Subdivisions 1 and 5, and by adding a subdivision; and 297A.01, Subdivision 3.

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

Norton, Kaley, Hokanson, Waldorf and Anderson, R., introduced:

H. F. No. 272, A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

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

Clark, Levi, Byrne, Clawson and Dean introduced:

H. F. No. 273, A bill for an act relating to public health; regulating the use of psychosurgery; providing patient rights; providing board of health review; providing a penalty.

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

Clark; Greenfield; Carlson, L.; Niehaus and Esau introduced:

H. F. No. 274, A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; requiring annual hearings on limits on nursing care; amending Minnesota Statutes 1978, Section 256B.47, Subdivision 1; and by adding a subdivision.

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

Rose, Halberg, Faricy, Pahl and Pehler introduced:

H. F. No. 275, A bill for an act relating to taxation; property tax refund; providing for payment of refunds to personal representatives of certain decedents; amending Minnesota Statutes 1978, Section 290A.18.

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

Carlson, D.; Minne; Johnson, D.; Clawson and Wieser introduced:

H. F. No. 276, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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.

Pleasant, Kalis, Wynia, Hoberg and Sieben, H., introduced:

H. F. No. 277, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

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

Fritz introduced:

H. F. No. 278, A bill for an act relating to state government; providing for periodic legislative review and modernizing of state statutes; providing for repeal of certain old statutes.

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

Minne, Murphy, Begich and Eliooff introduced:

H. F. No. 279, A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 22.

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

Drew, Halberg, Crandall, Knickerbocker and Valento introduced:

H. F. No. 280, A bill for an act relating to taxation; providing for optional rent credit amount in lieu of property tax refund; amending Minnesota Statutes 1978, Section 290A.04, Subdivision 1, and by adding a subdivision.

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

Fritz introduced:

H. F. No. 281, A bill for an act relating to taxation; real property; providing a delayed assessment of certain homestead improvements.

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

Stowell and Wieser introduced:

H. F. No. 282, A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

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

Fritz introduced:

H. F. No. 283, A bill for an act relating to the state board of investment; requiring investment of certain retirement funds in bank and savings and loan association certificates and accounts; amending Minnesota Statutes 1978, Section 11.16, Subdivision 14.

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

Simoneau, Tomlinson, Dean, Evans and Heinritz introduced:

H. F. No. 284, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting parimutuel wagering on races if authorized by law.

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.

Biersdorf, Evans, Fritz, Sarna and Patton introduced:

H. F. No. 285, A bill for an act relating to taxation; motor vehicle excise; exempting used automobiles and pickup trucks sales; amending Minnesota Statutes 1978, Section 297B.03.

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

Biersdorf, Patton, Redalen and Metzen introduced:

H. F. No. 286, 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, McDonald and Lehto introduced:

H. F. No. 287, A bill for an act relating to state government; establishing and empowering a temporary joint legislative study commission to examine financing of state mandated services; appropriating money.

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.

Vanasek, Kvam, Swanson, Valento and Sieben, H., introduced:

H. F. No. 288, A bill for an act relating to taxation; sales; exempting certain sales of bingo cards by veterans groups; amending Minnesota Statutes 1978, Section 297A.25.

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

Wenzel, Sviggum, Kalis, Mehrkens and Brinkman introduced:

H. F. No. 289, A bill for an act relating to taxation; inheritance; increasing exemptions for certain persons; amending Minnesota Statutes 1978, Section 291.05.

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

Esau, Berkelman, Hoberg, Fjoslien and Murphy introduced:

H. F. No. 290, A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

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

Fjoslien, Corbid, Redalen, Anderson, G., and Wenzel introduced:

H. F. No. 291, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

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

Carlson, L.; Adams; Jacobs; Pleasant and Peterson introduced:

H. F. No. 292, A bill for an act relating to taxation; real property; delayed assessment of homestead improvement.

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

Kalis, Jennings, Vanasek, Johnson, C., and Mehrkens introduced:

H. F. No. 293, A bill for an act relating to taxation; income tax; providing for an investment credit for purchases of farm equipment; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Prahl, Begich, Battaglia and Fritz introduced:

H. F. No. 294, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

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

Berkelman, Heinitz, Kaley, Clark and Clawson introduced:

H. F. No. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

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

Welker, Ludeman, Mann and Anderson, B., introduced:

H. F. No. 296, 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 for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.

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.

Minne and Elioff introduced:

H. F. No. 297, A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

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

Kahn, Wynia, Osthoff and Jaros introduced:

H. F. No. 298, A bill for an act relating to human rights; requiring educational institutions and public services to provide equal opportunity for members of both sexes to participate in athletic programs; prescribing powers and duties for the Minnesota state high school league; amending Minnesota Statutes 1978, Section 129.121, Subdivision 1, and by adding a subdivision; and Chapter 363, by adding sections; repealing Minnesota Statutes 1978, Section 126.21.

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.

Hoberg, Zubay, Adams, Piepho and Reding introduced:

H. F. No. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

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

Wenzel, Stoa, Fjoslien, Anderson, G., and Johnson, D., introduced:

H. F. No. 300, A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, by adding a section.

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

Nelson and Clark introduced:

H. F. No. 301, A bill for an act relating to police officers in cities of the first class; prohibiting employment of police officers for the purpose of maintaining law and order in bottle clubs or certain establishments licensed for the sale of liquor; providing penalties.

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

Rothenberg, Heap, Otis, Enebo and Jude introduced:

H. F. No. 302, A bill for an act relating to public utilities; reducing time periods involved in obtaining approval of rate changes; amending Minnesota Statutes 1978, Sections 216B.16, Subdivisions 1 and 2; and 237.075, Subdivisions 1 and 2.

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

Jaros introduced:

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

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

Jaros, Kaley, Battaglia, Pavlak and Lehto introduced:

H. F. No. 304, A bill for an act relating to corrections; community corrections; crediting counties for the cost of care for offenders committed to local correctional facilities; amending Minnesota Statutes 1978, Section 401.13.

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

Heap, Tomlinson, Johnson, C., and Laidig introduced:

H. F. No. 305, A bill for an act relating to education; requiring the expungement of certain material from the files of certain supervisory employees; amending Minnesota Statutes 1978, Sections 125.12, Subdivision 14 and 125.17, Subdivision 12.

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

Weaver, Fudro, Patton, Jude and Sviggum introduced:

H. F. No. 306, A bill for an act relating to state contracts; requiring public work contracts to contain an equitable adjustment clause.

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

Blatz, Rose, Adams, Osthoff and Biersdorf introduced:

H. F. No. 307, A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

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

Kostohryz; Hoberg; Johnson, C.; Olsen and Swanson introduced:

H. F. No. 308, A bill for an act relating to education; exempting veterans from tuition payments at post-secondary vocational-technical schools under certain conditions; amending Minnesota Statutes 1978, Section 124.565, Subdivision 3.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Biersdorf, Sarna, Metzen, Niehaus and Searle introduced:

H. A. No. 3, A proposal to study need for legislation setting criterion and standards for mental health centers.

The advisory was referred to the Committee on Health and Welfare.

Biersdorf, Sarna, Metzen, Friedrich and Redalen introduced:

H. A. No. 4, A proposal to study need for legislation setting standards for mobile home park operation.

The advisory was referred to the Committee on Commerce, Economic Development and Housing.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 67 and 118.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 67, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

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

MOTIONS AND RESOLUTIONS

Stoa moved that the names of Long and Fjoslien be added as authors on H. F. No. 225. The motion prevailed.

McDonald moved that the name of Welker be added as an author on H. F. No. 80. The motion prevailed.

McDonald moved that the name of Onnen be stricken and the name of Peterson be added as an author on H. F. No. 43. The motion prevailed.

McEachern moved that the name of Luknic be added as an author on H. F. No. 266. The motion prevailed.

Faricy moved that the name of Norman be added as an author on H. F. No. 20. The motion prevailed.

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

The chairman announced the appointment of the indicated members of the House to the following commissions:

Legislative Commission On Pensions and Retirement, pursuant to the provisions of Minnesota Statutes 1978, Section 3.85: Moe, Patton and Sarna.

Legislative Coordinating Commission, pursuant to the provisions of Minnesota Statutes 1978, Section 3.303: Anderson, I., Faricy and Sieben, H.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 8, 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 8, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

