

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1980

## SIXTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 28, 1980

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

A quorum was present.

Anderson, B.; Erickson; Esau and Wieser were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 994, A bill for an act relating to courts; providing court commissioners with the judicial powers of a judge of the county court or the county municipal court; amending Minnesota Statutes 1978, Section 489.02.

Reported the same back with the following amendments:

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 489, is amended by adding a section to read:

[489.06] [COUNTY OPTION TO ABOLISH OFFICE OF COURT COMMISSIONER.] *A county may by resolution abolish the office of court commissioner. If any person has been elected to and is serving in the office of court commissioner, the office may be abolished effective only upon the expiration of his term."*

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "authorizing counties the option of abolishing the office of court commissioner;"

Page 1, line 5, after "Section 489.02" insert "and Chapter 489, by adding a section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1138, A bill for an act relating to local government; authorizing the establishment of a local government training board; prescribing the board's powers and duties; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. *The legislature finds that there is a need for development, coordination, presentation and evaluation of train-*

*ing programs for local government officials. The legislature further finds that these functions can best be accomplished by working through organizations which represent governmental units and local government officials.*

Sec. 2. Minnesota Statutes 1978, Section 471.59, is amended by adding a subdivision to read:

*Subd. 9. For the purposes of the development, coordination, presentation and evaluation of training programs for local government officials, governmental units may exercise their powers under this section in conjunction with organizations representing governmental units and local government officials.*

Sec. 3. Any local government training board created under an agreement authorized by this act shall consist of representatives of the local governmental units in numbers as the agreement may specify, and representatives of the state university system, the board of community colleges, the private college council and the University of Minnesota, provided that the representatives of the systems of higher education shall be equal in number to each other.

Sec. 4. [APPROPRIATION.] There is appropriated to the state planning agency from the general fund the sum of \$42,500 to be made available to the organization established pursuant to section 2 for the purposes provided for. The organization which receives the funds shall report to the legislature on or before January 1, 1981, as to the expenditure of funds and as to its recommendations for future state action on training of local government officials."

Amend the title as follows:

Line 2, delete "the" and insert "local governmental units to establish training programs for local government officials in conjunction with certain organizations;"

Delete lines 3 and 4

Line 5, after "money" insert "; amending Minnesota Statutes 1978, Section 471.59, by adding a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1443, A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

Reported the same back with the following amendments:

Page 7, line 6, delete "\$250,000" and insert "\$————"

Page 75, strike line 5

Page 75, line 6, delete "board" and strike "issued hereunder"

Page 75, line 14, delete "1979" and insert "1980"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 1042, A bill for an act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 1361, A bill for an act relating to courts; providing for appeals from probate court; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 994 was read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1042 and 1361 were read for the second time.

### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

*Be it Resolved*, by the Minnesota House of Representatives, that:

A. The Temporary Rules of the 70th Session except as modified by this resolution are hereby adopted as the Temporary Rules of the House for the remainder of the 71st Session.

B. Temporary Rule 6, Section 1, shall be amended to read:

COMMITTEES. Standing committees of the House shall be appointed by the speaker as follows:

Agriculture

Appropriations

Divisions: Education  
Health, Welfare, Corrections  
State Departments  
Semi-State  
Claims

Commerce, Economic Development and Housing

Criminal Justice

Education

Divisions: School Aids  
Higher Education

Energy and Utilities

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation and Veterans Affairs

Governmental Operations

Health and Welfare

Judiciary

Labor-Management Relations

Local and Urban Affairs

Rules and Legislative Administration

Taxes

Divisions: I  
II

Transportation

The question was taken on the adoption of the report and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The report was adopted and the temporary rules of the House for the remainder of the 71st Session were adopted.

### GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued on General Orders for one day. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Kelly moved that the name of Pavlak be stricken and the name of Kroening be added as an author on H. F. No. 695. The motion prevailed.

Lehto moved that the name of Dean be added as an author on H. F. No. 1655. The motion prevailed.

Clawson moved that the name of Clark be added as an author on H. F. No. 808. The motion prevailed.

Kelly moved that the name of Novak be added as an author on H. F. No. 445. The motion prevailed.

Simoneau moved that the name of Pavlak be stricken and the name of Simoneau be added as an author on H. F. No. 1490. The motion prevailed.

Levi moved that her name be stricken as an author on H. F. No. 959. The motion prevailed.

Pehler moved that the name of Berglin be added as an author on H. F. No. 1412. The motion prevailed.

Ainley moved that the name of Searles be added as an author on H. F. No. 1648. The motion prevailed.

Begich moved that the name of Elioff be added as an author on H. F. No. 1651. The motion prevailed.

Begich moved that the name of Elioff be added as an author on H. F. No. 1650. The motion prevailed.

Drew moved that the name of Pavlak be stricken and the name of Drew be added as an author on H. F. No. 1168. The motion prevailed.

Pehler moved that H. F. No. 996 now on General Orders be returned to its author. The motion prevailed.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following committee assignments:

## AGRICULTURE

DFL	IR
Mann — Chairman	Aasness
Kalis — Vice Chairman	Albrecht
Anderson, B.	Carlson, D.
Anderson, G.	Erickson
Berkelman	Ludeman
Brinkman	Luknic
Eken	McDonald
Johnson, C.	Nelsen, B.
Kahn	Stowell
Nelsen, M.	Sviggunm
Welch	Valan
Wenzel	

## APPROPRIATIONS

DFL	IR
Voss — Chairman	Anderson, D.
Corbid — Vice Chairman	Anderson, R.
Anderson, G.	Dean
Berkelman	Den Ouden
Ellingson	Erickson
Hokanson	Forsythe
Kahn	Haukoos
Kalis	Johnson, D.
Kempe	Laidig
McCarron	Mehrkens
Metzen	Nelsen, B.
Munger	Piepho
Osthoff	Reif
Rice	Stadum
Sieben, M.	Valan
Swanson	Weaver
Waldorf	Welker
Welch	Wieser
Wynia	

## EDUCATION DIVISION (APPROPRIATIONS)

DFL	IR
Sieben, M. — Chairman	Dean
Welch — Vice Chairman	Erickson
Metzen	Haukoos
Munger	Nelsen, B.
Osthoff	Stadum
Swanson	Weaver
Waldorf	

HEALTH, WELFARE AND CORRECTIONS DIVISION  
(APPROPRIATIONS)

## DFL

McCarron — Chairman  
Hokanson — Vice Chairman  
Berkelman  
Corbid  
Rice  
Waldorf  
Wynia

## IR

Anderson, R.  
Den Ouden  
Forsythe  
Mehrkens  
Reif  
Wieser

## SEMI-STATE DIVISION (APPROPRIATIONS)

## DFL

Anderson, G. — Chairman  
Metzen — Vice Chairman  
Hokanson  
Osthoff  
Sieben, M.

## IR

Dean  
Laidig  
Mehrkens  
Stadum

## STATE DEPARTMENTS DIVISION (APPROPRIATIONS)

## DFL

Kahn — Chairman  
Berkelman — Vice Chairman  
Anderson, G.  
Ellingson  
Kalis  
Kempe  
Voss

## IR

Anderson, D.  
Johnson, D.  
Laidig  
Piepho  
Valan  
Welker

## CLAIMS DIVISION (APPROPRIATIONS)

## DFL

Kempe — Chairman

## COMMERCE, ECONOMIC DEVELOPMENT AND HOUSING

## DFL

Prahl — Chairman  
Kroening — Vice Chairman  
Adams  
Anderson, G.  
Fudro  
Jaros  
Metzen  
Murphy  
Osthoff  
Reding  
Sarna  
Sieben, M.  
Simoneau

## IR

Ainley  
Albrecht  
Anderson, R.  
Biersdorf  
Ewald  
Forsythe  
Friedrich  
Heap  
Olsen  
Piepho  
Welker  
Wieser

## CRIMINAL JUSTICE

## DFL

Vanasek — Chairman  
 Clark — Vice Chairman  
 Battaglia  
 Greenfield  
 Jaros  
 Kelly  
 Lehto  
 Minne  
 Moe  
 Nelson  
 Novak

## IR

Crandall  
 Drew  
 Jennings  
 Kvam  
 Laidig  
 Nysether  
 Rothenberg  
 Sherwood  
 Zubay

## EDUCATION

## DFL

Johnson, C. — Chairman  
 Kelly — Vice Chairman  
 Anderson, B.  
 Carlson, L.  
 Eken  
 Elioff  
 Jacobs  
 Kostohryz  
 Long  
 Mann  
 McEachern  
 Nelsen, M.  
 Nelson  
 Otis  
 Peterson, D.  
 Tomlinson

## IR

Ainley  
 Drew  
 Esau  
 Fjoslien  
 Heap  
 Hoberg  
 Jennings  
 Knickerbocker  
 Levi  
 Niehaus  
 Olsen  
 Redalen  
 Sherwood  
 Thiede  
 Zubay

## SCHOOL AIDS DIVISION (EDUCATION)

## DFL

McEachern — Chairman  
 Anderson, B. — Vice Chairman  
 Eken  
 Johnson, C.  
 Kostohryz  
 Nelson  
 Tomlinson

## IR

Esau  
 Jennings  
 Knickerbocker  
 Levi  
 Olsen  
 Thiede

## HIGHER EDUCATION DIVISION (EDUCATION)

DFL	IR
Carlson, L. — Chairman	Ainley
Nelsen, M. — Vice Chairman	Drew
Elioff	Fjoslien
Jacobs	Heap
Kelly	Hoberg
Long	Redalen
Mann	Sherwood
Otis	Zubay
Peterson, D.	

## ENERGY AND UTILITIES

DFL	IR
Nelson — Chairman	Ainley
Reding — Vice Chairman	Carlson, D.
Clark	Evans
Corbid	Ewald
Greenfield	Friedrich
Jude	Kaley
Kahn	Nysether
Minne	Redalen
Munger	Rees
Nelsen, M.	Rothenberg
Otis	Welker
Stoa	Wigley
Tomlinson	

## ENVIRONMENT AND NATURAL RESOURCES

DFL	IR
Munger — Chairman	Carlson, D.
Kostohryz — Vice Chairman	Dean
Anderson, I.	Den Ouden
Battaglia	Fjoslien
Begich	Levi
Ellingson	Nysether
Jacobs	Peterson, B.
Lehto	Rose
Long	Sherwood
Nelsen, M.	Stadum
Patton	Stowell
Stoa	Weaver
Vanasek	

## FINANCIAL INSTITUTIONS AND INSURANCE

## DFL

Brinkman — Chairman  
 Wenzel — Vice Chairman  
 Adams  
 Corbid  
 Ellingson  
 Faricy  
 Greenfield  
 Kelly  
 Osthoff  
 Swanson  
 Voss  
 Wynia

## IR

Anderson, D.  
 Blatz  
 Ewald  
 Heinitz  
 Jennings  
 Johnson, D.  
 Rees  
 Sviggum  
 Valan  
 Wieser

## GENERAL LEGISLATION AND VETERANS AFFAIRS

## DFL

Anderson, I. — Chairman  
 Osthoff — Vice Chairman  
 Carlson, L.  
 Fudro  
 Kostohryz  
 McCarron  
 Minne  
 Otis  
 Peterson, D.  
 Rice  
 Vanasek

## IR

Halberg  
 Haukoos  
 Hoberg  
 Laidig  
 McDonald  
 Norman  
 Olsen  
 Onnen  
 Valento  
 Wigley

## GOVERNMENTAL OPERATIONS

## DFL

Moe — Chairman  
 Patton — Vice Chairman  
 Adams  
 Battaglia  
 Byrne  
 Clawson  
 Kroening  
 Lehto  
 Minne  
 Reding  
 Rodriguez  
 Sarna  
 Simoneau  
 Stoa  
 Wenzel

## IR

Aasness  
 Albrecht  
 Biersdorf  
 Heinitz  
 Kaley  
 Ludeman  
 McDonald  
 Norman  
 Rees  
 Rose  
 Sviggum  
 Stowell  
 Wigley

## HEALTH AND WELFARE

DFL	IR
Swanson — Chairman	Aasness
Byrne — Vice Chairman	Blatz
Anderson, B.	Crandall
Berglin	Drew
Berkelman	Esau
Clark	Heinitz
Clawson	Kaley
Elioff	Kvam
Greenfield	Niehaus
Hokanson	Onnen
Rodriguez	Reif
Waldorf	Zubay
Welch	

## JUDICIARY

DFL	IR
Faricy — Chairman	Anderson, D.
Jude — Vice Chairman	Crandall
Byrne	Dean
Casserly	Dempsey
Kempe	Erickson
Long	Forsythe
Murphy	Mehrkens
Sieben, M.	Peterson, B.
Stoa	Pleasant
Voss	

## LABOR-MANAGEMENT RELATIONS

DFL	IR
Rice — Chairman	Biersdorf
Begich — Vice Chairman	Evans
Carlson, L.	Fritz
Elioff	Heap
Metzen	Niehaus
Moe	Norman
Murphy	Reif
Pehler	Rose
Prahl	Searles
Rodriguez	Stadum
Simoneau	

## LOCAL AND URBAN AFFAIRS

## DFL

Casserly — Chairman  
 Pehler — Vice Chairman  
 Berglin  
 Berkelman  
 Clawson  
 Elioff  
 Ellingson  
 Kroening  
 Long  
 McCarron  
 McEachern  
 Peterson, D.  
 Simoneau  
 Waldorf  
 Wynia

## IR

Anderson, R.  
 Fjoslien  
 Fritz  
 Haukoos  
 Hoberg  
 Johnson, D.  
 Levi  
 Piepho  
 Pleasant  
 Schreiber  
 Searles  
 Thiede  
 Valento  
 Weaver

## RULES AND LEGISLATIVE ADMINISTRATION

## DFL

Eken — Chairman  
 Anderson, G.  
 Anderson, I.  
 Berglin  
 Clark  
 Faricy  
 Johnson, C.  
 Mann  
 Munger  
 Norton  
 Sieben, H.  
 Swanson  
 Voss

## IR

Anderson, R.  
 Carlson, D.  
 Dempsey  
 Forsythe  
 Friedrich  
 Heinitz  
 Knickerbocker  
 Laidig  
 Luknic  
 Nelsen, B.  
 Schreiber  
 Searle  
 Weaver

## TAXES

## DFL

Sieben, H. — Chairman  
 Jaros — Vice Chairman  
 Anderson, I.  
 Begich  
 Berglin  
 Brinkman  
 Casserly  
 Eken  
 Faricy  
 Jacobs  
 Johnson, C.  
 Novak  
 Pehler  
 Prahl  
 Tomlinson  
 Vanasek

## IR

Blatz  
 Dempsey  
 Evans  
 Fritz  
 Halberg  
 Kvam  
 Luknic  
 Onnen  
 Peterson, B.  
 Pleasant  
 Rothenberg  
 Schreiber  
 Searle  
 Valento  
 Searles

## DIVISION I (TAXES)

Berglin — Chairman

Pehler — Vice Chairman

## DIVISION II (TAXES)

Tomlinson — Chairman

Novak — Vice Chairman

## TRANSPORTATION

## DFL

Fudro — Chairman

Sarna — Vice Chairman

Hokanson

Jacobs

Jude

Kalis

Kempe

Mann

McEachern

Novak

Otis

Patton

Peterson, D.

## IR

Dempsey

Den Ouden

Esau

Friedrich

Halberg

Ludeman

Luknic

Mehrkens

Nelsen, B.

Redalen

Schreiber

Thiede

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 31, 1980. 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, January 31, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

