

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

NINETY-NINTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, APRIL 12, 1980

The House of Representatives convened at 10:00 a.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	Den Ouden	Johnson, D.	Nelsen, B.	Searle
Adams	Drew	Jude	Nelsen, M.	Searles
Ainley	Eken	Kahn	Niehaus	Sherwood
Albrecht	Elioff	Kaley	Norman	Sieben, H.
Anderson, B.	Ellingson	Kalis	Novak	Sieben, M.
Anderson, D.	Erickson	Kelly	Nysether	Simoneau
Anderson, G.	Esau	Knickerbocker	Olsen	Stadum
Anderson, I.	Evans	Kostohryz	Onnen	Stoa
Anderson, R.	Ewald	Kroening	Osthoft	Stowell
Battaglia	Faricy	Kvam	Otis	Sviggum
Begich	Fjoslien	Laidig	Patton	Swanson
Berglin	Forsythe	Lehto	Pehler	Thiede
Berkelman	Friedrich	Levi	Peterson, B.	Tomlinson
Biersdorf	Fritz	Long	Peterson, D.	Valan
Blatz	Fudro	Ludeman	Piepho	Valento
Brinkman	Greenfield	Luknic	Pleasant	Vanasek
Byrne	Halberg	Mann	Prahl	Voss
Carlson, D.	Haukoos	McCarron	Reding	Waldorf
Carlson, L.	Heap	McDonald	Rees	Weaver
Casserty	Heinitz	McEachern	Reif	Welch
Clark	Hoberg	Mehrkens	Rice	Welker
Clawson	Hokanson	Metzen	Rodriguez	Wenzel
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Spkr. Norton
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	

A quorum was present.

Kempe, Nelson, Redalen, Wieser, Wigley and Zubay were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Niehaus 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 CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. No. 2419 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 11, 1980

The Honorable Fred C. Norton
Speaker of the House
State of Minnesota

Dear Speaker Norton:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 2353, relating to water resources, continuing the water planning board; changing its membership and duties; appropriating money;

H. F. No. 1513, relating to environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties;

H. F. No. 1603, relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money;

H. F. No. 1763, relating to education; increasing the bonding authority of the higher education coordinating board;

H. F. No. 1823, relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them;

H. F. No. 1878, relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; eliminating certain mandatory offers;

H. F. No. 1899, relating to the office of secretary of state; adjusting certain fees collected by that office; making them more uniform;

H. F. No. 1942, relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities to establish abuse prevention plans; establishing a penalty; appropriating money;

H. F. No. 1956, relating to real estate; providing for a state land registration assurance fund; combining the tax forfeited land assurance account with the land registration assurance fund; eliminating separate county assurance funds; empowering the commissioner of banks to clear certain title defects involving a defunct state agency; appropriating money;

H. F. No. 1981, relating to crimes; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to most prosecution for criminal sexual conduct;

H. F. No. 2019, relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money;

H. F. No. 2045, relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.

H. F. No. 2289, proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

H. F. No. 160, relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money;

H. F. No. 251, relating to local government; permitting self insurance of health benefits; authorizing joint self insurance;

H. F. No. 262, relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money;

H. F. No. 902, relating to pollution; establishing noise limits for motorboats; appropriating money;

H. F. No. 1012, relating to housing; prohibiting unfair treatment in housing and real property on the basis of familial status; providing for restrictions on eviction on the basis of familial status; appropriating money;

H. F. No. 1138, relating to local government; authorizing the establishment of local government official training programs; appropriating money;

H. F. No. 1190, relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease air-space above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways;

H. F. No. 1443, 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;

H. F. No. 2035, relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H. R. 1918, a service pension for veterans of World War One and their surviving spouses; appropriating funds;

H. F. No. 1895, relating to human rights; defining an unfair employment practice; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages;

Sincerely yours,

ALBERT H. QUIE
Governor

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kempe introduced:

H. F. No. 2502, A bill for an act relating to taxes; proposing an amendment to the Minnesota Constitution, Article X, adding a section; requiring a two-thirds vote for local government budgets.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 874, A bill for an act relating to state government; changing certain administrative procedures; providing for the compilation of agency rules and their publication by the revisor of statutes; amending Minnesota Statutes 1978, Sections 3.965; 15.0412, Subdivisions 1, 2, 3, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2 and 4; 15.0422; 15.0424, Subdivisions 1, 2 and 6; 15.0425; 15.0426; 15.047, Subdivision 2; 15.05; 15.051, Subdivisions 1, 2 and 3; 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; 15.1691, Subdivision 3; 179.71, Subdivision 5; 179.72, Subdivision 3; 268.12, Subdivision 3; 299A.03, Subdivision 8; 648.31, by adding a subdivision; 648.43; and Minnesota Statutes, 1979 Supplement, Section 15.0411, Subdivision 2; and Chapter 648, by adding a section; repealing Minnesota Statutes 1978, Sections 5.21, 15.0423; and 15.047.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2304, A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections, to provide for initiative and referendum; proposing an amendment to the Minnesota Constitution, Article VII, by adding a section, to require certain election campaign expenditures to be limited and disclosed by law; implementing the initiative and referendum process, including the manner of petitioning and voting on initiative and referendum measures and judicial review; permitting corporations to spend money to promote or defeat ballot questions; requiring disclosure of contributions and expenditures on ballot questions; increasing the campaign spending limits and the income tax check-off or repealing spending limits contingent on adoption or rejection of a constitutional amendment; imposing duties on certain officials; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 7, 7a, 7b, 10, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3, 6 and by adding a subdivision; 10A.31, Subdivisions 1, 3 and 5; 10A.32, Subdivision 4; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 210A.26, Subdivision 3 and by adding a subdivision; 210A.34, Subdivision 1 and by adding subdivisions; 290.09, Subdivision 2; 645.02; Chapter 10A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 290.21, Subdivision 3.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 14, A Concurrent Resolution relating to the delivery of bills to the governor after final adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Eken moved that the Rules be so far suspended that Senate Concurrent Resolution No. 14 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 14

A Senate Concurrent Resolution relating to the delivery of bills to the governor after final adjournment.

Whereas, the Minnesota Constitution, Article IV, Section 23, provides for the presentation of some bills to the Governor after sine die adjournment; *NOW, THEREFORE*,

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring, that on adjournment sine die of the 71st regular session of the Legislature, bills shall be presented to the Governor as follows:

(a) The Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment;

(b) The Chief Clerk of the House of Representatives and the Secretary of the Senate, in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration, shall carefully enroll each bill and present them to the Governor in the same manner as each bill is enrolled and presented to the Governor prior to the adjournment of the Legislature sine die;

(c) The Revisor of Statutes shall continue to assist in all of the functions relating to the enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die.

Be It Further Resolved, that the Secretary of the Senate deliver a copy of this Resolution to the Governor and the Secretary of State.

Eken moved that Senate Concurrent Resolution No. 14 be now adopted. The motion prevailed and the resolution was adopted.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1873, A bill for an act relating to local government in Ramsey county; providing for the membership and dues of

the Ramsey county league of local governments; amending Laws 1963, Chapter 728, Section 1, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kostohryz moved that the House concur in the Senate amendments to H. F. No. 1873 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1873, A bill for an act relating to local government; regulating zoning of certain facilities; authorizing certain actions by the city of Saint Paul; setting conditions of employment for certain Washington county employees; providing for the membership and dues of the Ramsey county league of local governments; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3; and Laws 1959, Chapter 690, Section 2, as amended; and Laws 1963, Chapter 728, Section 1, as amended.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 71 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Kalis	Murphy	Sieben, H.
Anderson, B.	Corbid	Kelly	Nelsen, B.	Sieben, M.
Anderson, D.	Eken	Knickerbocker	Nelsen, M.	Simoneau
Anderson, G.	Elhoff	Kostohryz	Novak	Stoa
Anderson, I.	Ellingson	Kroening	Osthoff	Swanson
Battaglia	Ewald	Laidig	Otis	Vanasek
Begich	Faricy	Lehto	Patton	Voss
Berglin	Fudro	Long	Pehler	Welch
Berkelman	Greenfield	Mann	Peterson, D.	Wenzel
Biersdorf	Heap	McCarron	Prahl	Wynia
Brinkman	Jacobs	McEachern	Reding	Spkr. Norton
Byrne	Jaros	Metzen	Reif	
Carlson, L.	Johnson, C.	Minne	Rice	
Casserly	Jude	Moe	Rodriguez	
Clark	Kahn	Munger	Sarna	

Those who voted in the negative were:

Aasness	Erickson	Jennings	Olsen	Stadum
Ainley	Esau	Johnson, D.	Onnen	Stowell
Albrecht	Fjoslien	Kaley	Peterson, B.	Sviggum
Blatz	Forsythe	Ludeman	Piepho	Thiede
Carlson, D.	Friedrich	Luknic	Pleasant	Valan
Crandall	Fritz	McDonald	Rose	Valento
Dean	Halberg	Mehrkens	Rothenberg	Waldorf
Dempsey	Haukoos	Niehaus	Schreiber	Weaver
Den Ouden	Heinitz	Norman	Searle	Welker
Drew	Hoberg	Nysether	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORTS 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, that the House of Representatives retain those parts of parking lots B, C, D, and E, during the period of time between adjournment sine die in 1980 and convening of the House of Representatives in 1981, which are necessary for use of members and employees of the House of Representatives.

The motion prevailed and the report was adopted.

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

Be It Resolved, that the Chief Clerk of the House of Representatives be authorized and hereby is directed to correct and approve the Journal of the House for the last day of the 71st Regular Session.

Be It Further Resolved, that the Chief Clerk of the House of Representatives be and hereby is authorized to include in the Journal of the House for the last day of the 71st Regular Session any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law.

The motion prevailed and the report was adopted.

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

Be It Resolved, that the Chief Clerk of the House of Representatives be and hereby is instructed that during the period of time between adjournment sine die in 1980 and convening of the House of Representatives in 1981, the House Chamber, House Retiring Room, House Hearing and Conference Rooms, House Offices, and the Chief Clerk's Offices, shall be left in their present status and reserved for use by the House of Representatives, Legislative Interim Committees, House Standing Committees and Subcommittees, and to such other use as the Speaker of the House may deem necessary. The House Chamber and House Retiring Room shall be available for the annual meeting of the Territorial Pioneers; and the House Chamber, House Retiring Room and the unused Hearing Rooms shall be

available annually to the Hi-Y Model Legislature and Girls' State, provided these organizations confirm dates with the Speaker of the House at least 30 days in advance.

Be It Further Resolved, that the Custodian of the State Capitol shall be instructed that the corridors and rotunda are to be kept clear of all furniture and that all legislative furniture is to remain in the legislative rooms.

The motion prevailed and the report was adopted.

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

Be It Resolved, that the Committee on Rules and Legislative Administration be and hereby is assigned, during the interim following adjournment sine die in 1980, all functions within its usual jurisdiction.

Be It Further Resolved, that the Committee on Rules and Legislative Administration shall contract for necessary printing of the House of Representatives for the 72nd Regular Session and any extra sessions held prior to the 73rd Regular Session.

The motion prevailed and the report was adopted.

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

Be It Resolved, that a Committee of five members be appointed by the Speaker to advise the Senate that the House of Representatives is about to adjourn sine die and to ascertain if there is any business pending.

The motion prevailed and the report was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Committee to notify the Senate that the House is about to adjourn sine die:

Fudro, Pleasant, Prael, Corbid and Patton.

MOTIONS AND RESOLUTIONS

Halberg moved that the name of Berkelman be added as an author on H. F. No. 2495. The motion prevailed.

Begich moved that the name of Anderson, G., be added as an author on H. F. No. 2492. The motion prevailed.

McDonald moved that the name of Blatz be added as an author on H. F. No. 2500. The motion prevailed.

Long moved that H. F. No. 2473 be returned to its author. The motion prevailed.

Clawson moved that the following statement be printed in the Journal for today:

"At the time the vote was taken on the adoption of the conference committee report on H. F. No. 1121 I was off the floor in conference on another bill. Had I been present I would have voted in the affirmative." The motion prevailed.

Luknic introduced:

House Resolution No. 51, A house resolution relating to extending congratulations and best wishes to Scott Gillen.

The resolution was referred to the Committee on Rules and Legislative Administration.

MOTION TO ADJOURN SINE DIE

Sieben, H., moved that the House adjourn sine die. The motion prevailed, and the Speaker declared the House adjourned sine die.