

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

ELEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 2, 1981

The House of Representatives convened at 2:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Reverend Norman P. Belland, Scandian Grove Lutheran Church, St. Peter, Minnesota.

The roll was called and the following members were present:

Aasness	Esau	Kalis	O'Connor	Sherwood
Ainley	Evans	Kelly	Ogren	Sieben, M.
Anderson, B.	Ewald	Knickerbocker	Olsen	Simoneau
Anderson, G.	Fjoslien	Kostohryz	Onnen	Skoglund
Anderson, I.	Forsythe	Kvam	Osthoff	Stadum
Anderson, R.	Friedrich	Laidig	Otis	Staten
Battaglia	Greenfield	Lehto	Peterson, B.	Stowell
Begich	Gruenes	Lemen	Peterson, D.	Stumpf
Berkelman	Gustafson	Levi	Piepho	Sviggum
Blatz	Halberg	Long	Pogemiller	Swanson
Brandt	Hanson	Ludeman	Redalen	Tomlinson
Brinkman	Harens	Luknic	Reding	Valan
Byrne	Hauge	Mann	Rees	Valento
Carlson, D.	Haukoos	Marsh	Reif	Vanasek
Carlson, L.	Heap	McCarron	Rice	Vellenga
Clark, J.	Heinitz	McDonald	Rodriguez, C.	Voss
Clark, K.	Himle	McEachern	Rodriguez, F.	Weaver
Clawson	Hoberg	Mehrkens	Rose	Welch
Dahlvang	Hokanson	Metzen	Rothenberg	Welker
Dean	Hokr	Minne	Samuelson	Wenzel
Dempsey	Jacobs	Munger	Sarna	Wieser
Den Ouden	Jennings	Murphy	Schafer	Wigley
Drew	Johnson, C.	Nelson, K.	Schoenfeld	Wynia
Eken	Johnson, D.	Niehaus	Schreiber	Spkr. Sieben, H.
Elioff	Jude	Norton	Searles	
Ellingson	Kahn	Novak	Shea	
Erickson	Kaley	Nysether	Sherman	

A quorum was present.

Nelsen, B., and Zubay were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell 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. 1 have been placed in the members' files.

S. F. No. 1 and H. F. No. 1, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McEachern moved that the rules be so far suspended that S. F. No. 1 be substituted for H. F. No. 1 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 23, A bill for an act relating to the city of Madison Lake; authorizing the issuance of general obligation bonds for a municipal center.

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

The report was adopted.

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

H. F. No. 38, A bill for an act relating to local government; permitting the city of Northfield to make payments to the town of Waterford as a condition of an annexation.

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. Nos. 23 and 38 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Onnen, McEachern, Kalis, Haukoos and Berkelman introduced:

H. F. No. 198, A bill for an act relating to towns; giving towns general powers to provide for town welfare by police, health and safety ordinances; amending Minnesota Statutes 1980, Section 365.10.

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

McDonald, Brinkman, Rees, Onnen and Piepho introduced:

H. F. No. 199, A bill for an act relating to regional development; providing advisory referenda on regional development commissions and the metropolitan council.

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

McDonald, Rees, Marsh, Ludeman and Rothenberg introduced:

H. F. No. 200, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.

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

Haukoos, Schoenfeld, Jennings, McEachern and Schreiber introduced:

H. F. No. 201, A bill for an act relating to fire control services; providing for reimbursement by railroads and the transportation department; setting the time limit for claims; amending Minnesota Statutes 1980, Sections 161.465; and 219.761, Subdivision 1.

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

Welch and Wenzel introduced:

H. F. No. 202, A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees retirement association by a certain county commissioner.

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

Welch; Luknic; Anderson, B., and Samuelson introduced:

H. F. No. 203, A bill for an act relating to education; slowing the phase-out of special education services for certain handicapped pupils over age 21; eliminating a restriction on eligibility for those special education services; amending Minnesota Statutes 1980, Section 120.17, Subdivision 1a.

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

McDonald introduced:

H. F. No. 204, A bill for an act relating to taxation; income; abolishing the limitations on deductions attributable to farming; repealing Minnesota Statutes 1980, Section 290.09, Subdivision 29.

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

Berkelman, Gustafson, Munger and Lehto introduced:

H. F. No. 205, A bill for an act relating to retirement; extending the combined service annuity to members of the University of Minnesota faculty plan; amending Minnesota Statutes 1980, Section 356.30, Subdivision 3.

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

Berkelman, Gustafson, Munger and Lehto introduced:

H. F. No. 206, A bill for an act relating to public employees; regulating bargaining between instructional unit employees and the University of Minnesota; amending Minnesota Statutes 1980, Section 179.741, Subdivision 3.

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

Gustafson, Lehto, Berkelman, Munger and Murphy introduced:

H. F. No. 207, A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit.

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

Johnson, C.; Ainley; Novak; Simoneau and Ludeman introduced:

H. F. No. 208, A bill for an act relating to public utilities; statement of delinquency charges; amending Minnesota Statutes 1980, Section 222.75.

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

Stadum; Eken; Ainley; Johnson, C., and Valan introduced:

H. F. No. 209, A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses; proposing new law coded as Minnesota Statutes, Chapter 290B.

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

Stadum, Schoenfeld, Stumpf, Valan and Anderson, B., introduced:

H. F. No. 210, A bill for an act relating to workers' compensation; redefining a family farm for terms of employee coverage; amending Minnesota Statutes 1980, Section 176.011, Subdivision 11a.

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

Hoberg and Valan introduced:

H. F. No. 211, A bill for an act relating to local government; permitting agreements for compensation for transfers of taxable property in certain annexations; proposing new law coded in Minnesota Statutes, Chapter 414.

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

Den Ouden, McDonald and Forsythe introduced:

H. F. No. 212, A bill for an act relating to public welfare; limiting the first month's grant under the general assistance and aid to families with dependent children programs to a prorated share based on the time of application; amending Minnesota Statutes 1980, Sections 256.76, Subdivision 1; and 256D.07.

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

Den Ouden and McDonald introduced:

H. F. No. 213, A bill for an act relating to public welfare; requiring general assistance medical care recipients to pay a percentage of the cost of their care; amending Minnesota Statutes 1980, Sections 256D.02, Subdivision 4a; and 256D.03, Subdivision 3.

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

Niehaus, Aasness, Wenzel, Fjoslien and Kalis introduced:

H. F. No. 214, A bill for an act relating to labor; regulating certain steam engine and boiler operators; exempting certain operators from testing requirements; amending Minnesota Statutes 1980, Section 183.411.

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

Hoberg and Valan introduced:

H. F. No. 215, A bill for an act relating to the city of Moorhead; permitting a city levy for the arts and humanities.

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

Stadum, Valan, Ludeman, Nysether and Aasness introduced:

H. F. No. 216, A bill for an act relating to labor; providing labor dispute procedures in certain emergency situations; proposing new law coded in Minnesota Statutes, Chapter 179.

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

Anderson, G., introduced:

H. F. No. 217, A bill for an act relating to state trails; authorizing the sale of certain lands acquired for the Luce Line Trail.

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

Fjoslien, Battaglia, Begich, Wenzel and Dempsey introduced:

H. F. No. 218, A bill for an act relating to alcohol; exempting certain federally licensed manufacturers thereof from state regulation; amending Minnesota Statutes 1980, Section 340.18, by adding a subdivision.

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

Stadum introduced:

H. F. No. 219, A bill for an act relating to wastewater treatment projects; eliminating the requirement that lists of delinquent contractors be published; providing for publication of a list of previous contractors; amending Minnesota Statutes 1980, Section 115.83.

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

Otis; Kahn; Nelson, K., and Luknic introduced:

H. F. No. 220, A bill for an act relating to energy; establishing certain conditions for the issuance of certificates of need; amending Minnesota Statutes 1980, Section 116H.13, by adding a subdivision.

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

Vellenga, Gruenes, Osthoff and Long introduced:

H. F. No. 221, A bill for an act relating to marriage; changing the liability of spouses for certain debts; amending Minnesota Statutes 1980, Section 519.05.

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

Rose, Marsh, Lemen, Staten and Anderson, I., introduced:

H. F. No. 222, A bill for an act relating to families; designating an American family day; proposing new law coded in Minnesota Statutes, Chapter 517.

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

Vellenga; Reding; Rodriguez, C.; Voss and Hokr introduced:

H. F. No. 223, A bill for an act relating to creditors' remedies; property exempt from attachment, garnishment or sale on any final process issued from any court; providing for an increase in the amount of the life insurance exemption and extending the class of those eligible to benefit; amending Minnesota Statutes 1980, Section 550.37, Subdivision 10.

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

Stadum, Battaglia, Ludeman, Valan and Munger introduced:

H. F. No. 224, A bill for an act relating to watershed districts; requiring a public hearing before district managers adopt a budget; amending Minnesota Statutes 1980, Section 112.611, Subdivision 1.

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

Vellenga; Tomlinson; Peterson, D.; Dean and Gustafson introduced:

H. F. No. 225, A bill for an act relating to taxation; providing that the disallowance of income tax deductions relating to substandard housing shall not expire; amending Laws 1975, Chapter 226, Section 4, as amended.

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

Voss, Ogren, Hauge, Zubay and Laidig introduced:

H. F. No. 226, A bill for an act relating to weights and measures; regulating and restricting conversion to the metric system of measurement; prescribing and limiting the powers and duties of public officers and agencies; enacting the uniform metric system procedure act; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 239; repealing Minnesota Statutes 1980, Sections 239.001; 239.002; 239.003; and 239.004.

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

Kvam, Rothenberg, Novak, Skoglund and Dempsey introduced:

H. F. No. 227, A bill for an act relating to taxation; recodifying and simplifying the income tax law for individuals; increasing conformance to federal income tax laws; allowing income averaging; providing an accrual system for determining the federal income tax adjustment to gross income; abolishing the homemakers credit; abolishing the farm loss modification; and abolishing the substandard buildings deduction limitation; extending the uses of agricultural electricity exempt from sales and use tax; proposing new law; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3e; 290.09, Subdivisions 29 and 30; 290.101.

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

Hanson, Munger, Dean, Fjoslien and Ellingson introduced:

H. F. No. 228, A bill for an act relating to solid waste; prohibiting retail sale of certain plastic nonrefillable beverage containers; imposing penalties; amending Minnesota Statutes 1980, Sections 116F.21; and 116F.22, Subdivision 2, and by adding a subdivision.

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

Begich, Munger and Elioff introduced:

H. F. No. 229, A bill for an act relating to pesticides; prescribing certain limitations on the aerial application of pesticides; imposing requirements for pesticide application in certain areas; proposing new law coded in Minnesota Statutes, Chapter 18A.

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

Sieben, M.; Nelsen, B.; Eken; Carlson, D., and Samuelson introduced:

H. F. No. 230, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money.

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

Aasness; Mann; Niehaus; Johnson, C., and Valan introduced:

H. F. No. 231, A bill for an act relating to agriculture; imposing certain requirements on milk houses for milk used for manufacturing; setting up an inspection program; requiring permits for certain dairy operations; amending Minnesota Statutes 1980, Section 32.212.

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

McDonald and Schreiber introduced:

H. F. No. 232, A bill for an act relating to crimes; prohibiting the possession, manufacture, or delivery of drug paraphernalia; prohibiting the delivery of drug paraphernalia to minors; prohibiting the advertisement of drug paraphernalia; providing for civil forfeiture of drug paraphernalia; prohibiting the sale of cigarette paper or the means for making cigarettes if there is knowledge or reason to believe that the items will be used in violation of the controlled substance law; prohibiting owners of real property to lease or otherwise permit the use of their property for the retail sale of drug paraphernalia; prescribing penalties; amending Minnesota Statutes 1980, Sections 152.01, by adding subdivisions; 152.19, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 152.

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

Stadum; Anderson, G.; Johnson, C.; Kaley and Sviggum introduced:

H. F. No. 233, A bill for an act relating to workers' compensation; providing for insurance rate setting by individual insurance companies; eliminating duties of rating bureau of Minnesota; creating and eliminating duties for the commissioner of insurance; amending Minnesota Statutes 1980, Sections 70A.02; 70A.04, by adding a subdivision; 70A.08, by adding a subdivision; 70A.09; 70A.19; and 176.185, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 70A and 176; repealing Minnesota Statutes 1980, Chapter 79.

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

Mann, Munger and Kalis introduced:

H. F. No. 234, A bill for an act relating to waters; maintaining existing classification of the water use designation of Okabena Creek in Jackson and Nobles Counties.

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

Jacobs introduced:

H. F. No. 235, A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1980, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

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

Munger; Sieben, H.; Eken and Friedrich introduced:

H. F. No. 236, A bill for an act relating to environmental protection; imposing a moratorium on enforcement of the law banning plastic milk containers; repealing Laws 1977, Chapters 268, Section 3; and 455, Section 96.

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

Reding introduced:

H. F. No. 237, A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing certain payments for operation of gambling devices; changing prize limitations; amending Minnesota Statutes 1980, Section 349.26, Subdivisions 4, 5, 12, 13 and 15.

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

Anderson, G.; Vanasek; Anderson, R., and Kalis introduced:

H. F. No. 238, 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 1980, Sections 299D.02, Subdivision 1; 299D.04; 299D.-05, Subdivision 3; and proposing new law coded in Minnesota Statutes, Chapters 171 and 299D.

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

Novak, Skoglund, Samuelson, Kvam and Anderson, I., introduced:

H. F. No. 239, A bill for an act relating to taxation; increasing the maximum pension exclusion; providing that it increase according to annual increases in Social Security benefits; eliminating the income offset; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.

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

Nysether, Brinkman, Friedrich, Minne and Mann introduced:

H. F. No. 240, A bill for an act relating to energy; residential energy disclosure program; repealing Minnesota Statutes 1980, Section 116H.129, Subdivisions 5, 6, and 7.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Reding introduced:

H. A. No. 5, A proposal to transfer all agricultural marketing promotion to the Department of Economic Development.

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

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. 12 and 13.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 12, A bill for an act relating to eminent domain; providing for the taking of possession and title by the petitioner under certain circumstances; providing that certain payments deposited with the court shall be paid out under direction of the court; amending Minnesota Statutes 1980, Section 117.042.

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

S. F. No. 13, A bill for an act relating to crimes; eliminating the power of a sentencing court to stay the revocation of the driver's license of a person convicted of driving, operating or being in physical control of a motor vehicle while under the influence of alcohol or controlled substances or a combination thereof; amending Minnesota Statutes 1980, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

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

MOTIONS AND RESOLUTIONS

Wenzel moved that the name of Jude be stricken and the name of Swanson be added as second author on H. F. No. 63. The motion prevailed.

McDonald moved that the names of Battaglia, Hanson and Rees be added as authors on H. F. No. 232. The motion prevailed.

Munger moved that the name of Begich be added as an author on H. F. No. 236. The motion prevailed.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 5, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 5, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives