

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1981

## FIFTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 16, 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 William Sanden, United Lutheran Church, Frost, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Dempsey, Greenfield, Halberg and Wieser were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek 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 H. F. No. 59 and S. F. No. 23 have been placed in the members' files.

S. F. No. 23 and H. F. No. 59, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Ellingson moved that S. F. No. 23 be substituted for H. F. No. 59 and that the House File be indefinitely postponed. The motion prevailed.

## SECOND READING OF SENATE BILLS

S. F. No. 23 was read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Jacobs; Anderson, I.; Osthoff and Sieben, H., introduced:

H. F. No. 385, A bill for an act relating to congressional districts; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741, 2.751, 2.761, 2.771, 2.781, 2.791, 2.801 and 2.811.

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

Byrne, Kelly, Hanson, Norton and Drew introduced:

H. F. No. 386, A bill for an act relating to the city of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended.

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

Lemen, Elioff, Begich, Minne and Battaglia introduced:

H. F. No. 387, A bill for an act relating to local government; making explicit the power of local government units to establish more than one recreation board; amending Minnesota Statutes 1980, Section 471.15.

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

Lemen, Elioff, Begich, Minne and Battaglia introduced:

H. F. No. 388, A bill for an act relating to taxation; reducing the motor vehicle excise tax on the purchase of new American-made vehicles; proposing new law coded in Minnesota Statutes, Chapter 297B.

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

Reding, Haukoos, Begich and Fjoslien introduced:

H. F. No. 389, A bill for an act relating to public employment; eliminating certain part time adult vocational education instructors from the definition of public employee; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.

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

Reding, Kaley and Sarna introduced:

H. F. No. 390, A bill for an act relating to retirement; providing for an increase in the amount of employer contributions to the teachers retirement association and to the teachers retirement fund associations in cities of the first class; amending Minnesota Statutes 1980, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.

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

Reding, Kaley and Sarna introduced:

H. F. No. 391, A bill for an act relating to retirement; teacher retirement funds; providing for periodic increases in the amount of employer contributions to the teachers retirement association and to the teachers retirement fund associations in cities of the first class; amending Minnesota Statutes 1980, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.

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

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

H. F. No. 392, A bill for an act relating to agriculture; imposing certain requirements on milk houses for milk used for manufacturing; amending Minnesota Statutes 1980, Section 32.212.

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

Hokanson; Gruenes; Clark, K.; Aasness and Berkelman introduced:

H. F. No. 393, A bill for an act relating to public welfare; requiring certain facilities to safeguard the well-being and safety of persons in their care; providing for penalties; proposing new law coded in Minnesota Statutes, Chapter 245.

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

Drew, Rose and Rodriguez, F., introduced:

H. F. No. 394, A bill for an act relating to Ramsey County; providing for an age for mandatory retirement of employees; amending Laws 1974, Chapter 435, Section 3.03.

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

Welch, Marsh, Clawson, McEachern and Carlson, D., introduced:

H. F. No. 395, A bill for an act relating to state government; allowing other public employees to participate in state employee van pools under certain circumstances; amending Minnesota Statutes 1980, Section 16.756, by adding a subdivision.

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

Jennings, Kostohryz, Rothenberg, Levi and Anderson, G., introduced:

H. F. No. 396, A bill for an act relating to veterans; requiring the commissioner of veterans affairs to furnish an American Flag to the nearest surviving relative of a deceased veteran who served six or more years in the Minnesota National Guard; amending Minnesota Statutes 1980, Section 196.05.

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

Haukoos, Kaley, Reding, Ludeman and Sarna introduced:

H. F. No. 397, A bill for an act relating to retirement; various retirement funds; authorizing disability benefit recipients to elect an actuarially equivalent optional annuity; amending Minnesota Statutes 1980, Sections 352.113, Subdivision 12, and by adding a subdivision; 352.95, Subdivision 5, and by adding a subdivision; 352B.10; 352B.105; 353.33, Subdivision 11, and by adding a subdivision; 353.656, Subdivision 6, and by adding a subdivision; 354.48, Subdivision 10, and by adding a subdivision; and 354A.36, Subdivision 10, and by adding a subdivision.

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

Onnen, Lehto, Halberg, Rice and Osthoff introduced:

H. F. No. 398, A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25 and 26; Article VIII, Section 1; Article IX, Sections 1 and 2; and Article XI, Section 5; providing for a unicameral legislature of 135 members.

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

Den Ouden; Wenzel; Anderson, B.; Rees and Sherwood introduced:

H. F. No. 399, A bill for an act relating to health; requiring parental notice of a minor's intended abortion or sterilization; setting penalties; amending Minnesota Statutes 1980, Section 145.412, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 145.

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

Reding, Heap, Lehto, Kalis and Ewald introduced:

H. F. No. 400, A bill for an act relating to economic development; appropriating money to permit the small business finance agency to participate in business loans; amending Minnesota Statutes 1980, Section 362.53, Subdivision 12.

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

Haukoos; Elioiff; Nelsen, B.; Wynia and Jennings introduced:

H. F. No. 401, A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1980, Section 326.242, Subdivision 2.

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

Harens, Norton and Drew introduced:

H. F. No. 402, A bill for an act relating to the city of St. Paul; authorizing the imposition of a tax on the conversion of rental dwelling units to condominiums.

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

Minne; Hauge; Begich; Sieben, H., and Fjoslien introduced:

H. F. No. 403, A bill for an act relating to public utilities; providing for rights of shareholders of cooperative electric associations; proposing new law coded in Minnesota Statutes, Chapter 216B.

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

Skoglund, Clawson, Brandl, Shea and Himle introduced:

H. F. No. 404, A bill for an act relating to health; requiring installation of telecommunication devices for the deaf in county sheriff's offices and public safety agencies; requiring the commissioner of health to make telecommunication devices available to county sheriff's offices; proposing new law coded in Minnesota Statutes, Chapter 145.

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

Brinkman, Wenzel and Sarna introduced:

H. F. No. 405, A bill for an act relating to elections; prohibiting announcement of certain election results before the polls are closed; proposing new law coded in Minnesota Statutes, Chapter 204A.

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

Wynia, Murphy, Sarna, Clawson and Kaley introduced:

H. F. No. 406, A bill for an act relating to retirement; requiring public pension funds to provide information concerning optional annuity forms with the retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; proposing new law coded in Minnesota Statutes, Chapter 356.

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

Wynia; Anderson, B.; Sarna; Ellingson and Kaley introduced:

H. F. No. 407, A bill for an act relating to insurance; modifying the definition of a covered claim for purposes of the state's insurance guaranty association act; amending Minnesota Statutes 1980, Section 60C.09, Subdivision 1.

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

Byrne, Luknic, McCarron, Samuelson and Clark, J., introduced:

H. F. No. 408, A bill for an act relating to public welfare; authorizing grants to county boards to provide semi-independent living services for mentally retarded persons; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 252.

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

Erickson, Mann, Stowell, Kalis and Wenzel introduced:

H. F. No. 409, A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identifying fur pelts; updating references in the shade tree control law; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 18.023, Subdivision 3a; 31.095; 41.52, Subdivisions 5, 8 and 9; 41.54, Subdivision 2; 41.56, Subdivisions 1 and 2; 41.53, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.02; 236.03; 275.50, Subdivision 6; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Section 29.091.

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

Rodriguez, F.; Clawson; Clark, K.; McDonald and Berkelman introduced:

H. F. No. 410, A bill for an act relating to public welfare; authorizing the commissioner of public welfare to designate the county of financial responsibility for patients transferred under the Interstate Compact on Mental Health who are not residents of Minnesota; amending Minnesota Statutes 1980, Section 245.52.

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

Kelly introduced:

H. F. No. 411, A bill for an act relating to Ramsey County; stating positions in the unclassified county service; placing employees of the judicial district administrator's office in the unclassified service; amending Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended.

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

Stowell, Olsen, Byrne, Lehto and Levi introduced:

H. F. No. 412, A bill for an act relating to taxation; exempting feminine hygiene products from the sales and use tax; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.

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

Lemen; Rodriguez, F.; Schafer; Jude and Heinitz introduced:

H. F. No. 413, A bill for an act relating to handicapped persons; prohibiting persons serving as foreign language interpreters or interpreters for persons with hearing or speaking impairments from disclosing communications made to them during the course of civil, criminal or administrative proceedings; amending Minnesota Statutes 1980, Sections 546.44, by adding a subdivision; 595.02; 611.30; 611.31; and 611.33, by adding a subdivision.

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



Hanson, Novak, Vanasek, Samuelson and Anderson, R., introduced:

H. F. No. 414, A bill for an act relating to taxation; altering the method of taxing the income of certain oil companies by prohibiting their use of the arithmetic average allocation formula and of certain deductions; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 19, and by adding a subdivision; 290.09, Subdivision 8; and 290.19, Subdivision 1.

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

Simoneau introduced:

H. F. No. 415, A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.

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

Stadum, Metzen, Jennings, Valan and Brinkman introduced:

H. F. No. 416, A bill for an act relating to taxation; authorizing the establishment of education savings accounts; providing that contributions to an account which are used exclusively in connection with the educational expenses of a child are deductible for income tax purposes; providing tax penalties; amending Minnesota Statutes 1980, Sections 48.159, by adding a subdivision; 50.157, by adding a subdivision; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 52.

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

Valan, Eken, Hoberg, Stumpf and Stadum introduced:

H. F. No. 417, A bill for an act relating to taxation; authorizing certain taxing districts to provide property tax exemption or abatement for certain new business facilities; requiring an adjustment of the EARC valuation; adjusting the local government aid formula; amending Minnesota Statutes 1980, Sections 124.212; and 477A.01, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 273.

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

Anderson, I.; Jacobs; Skoglund; Kvam and Onnen introduced:

H. F. No. 418, A bill for an act relating to taxation; income; providing a credit for certain research and experimental expenditures; proposing new law coded in Minnesota Statutes, Chapter 290.

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

Rice; Sviggum; Heinitz; Johnson, C., and Anderson, G., introduced:

H. F. No. 419, A bill for an act relating to financial institutions; regulating certain acquisitions by bank holding companies; defining terms; prescribing limitations; proposing new law coded in Minnesota Statutes, Chapter 47.

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

Rice introduced:

H. F. No. 420, A bill for an act relating to the bureau of criminal apprehension; including the superintendent within workers' compensation coverage; amending Minnesota Statutes 1980, Section 299C.19.

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

Rice introduced:

H. F. No. 421, A bill for an act relating to labor; providing for increases in fees for certain steamfitters; amending Minnesota Statutes 1980, Section 326.50.

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

Kostohryz introduced:

H. F. No. 422, A bill for an act relating to retirement; Minnesota state retirement system; authorizing certain persons to purchase prior service credit.

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

Gustafson and Berkelman introduced:

H. F. No. 423, A bill for an act relating to the city of Duluth; authorizing the fire chief to issue variances from the provisions of the state fire code under certain circumstances.

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

Ogren, Sherwood, Wenzel, Samuelson and Nelsen, B., introduced:

H. F. No. 424, A bill for an act relating to health; establishing a model rural program for community-based treatment of adolescents with serious chemical abuse problems; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 254A.

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

Gustafson; Sieben, M.; Drew and Piepho introduced:

H. F. No. 425, A bill for an act relating to public employees; providing for student participation in certain labor negotiations; 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.

Gustafson introduced:

H. F. No. 426, A bill for an act relating to highway traffic regulations; requiring motor vehicle inspections; providing penalties; and appropriating money; proposing new law coded in Minnesota Statutes, Chapter 169.

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

McDonald and Rees introduced:

H. F. No. 427, A bill for an act relating to Carver county; providing for payment of expenses of the county commissioners.

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

Onnen, Sherwood, Kalis, Redalen and Reding introduced:

H. F. No. 428, A bill for an act relating to taxation; real property; extending the homestead credit to certain noncontiguous property; amending Minnesota Statutes 1980, Sections 273.13, Subdivision 7; and 290A.03, Subdivision 6.

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

Reding introduced:

H. F. No. 429, A bill for an act relating to historic sites; designating an additional historic site; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.

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

Nelsen, B.; Begich; Carlson, D., and Rose introduced:

H. F. No. 430, A bill for an act relating to state lands; providing for the sale by taxing districts of certain tax-forfeited land; amending Minnesota Statutes 1980, Section 282.018.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 230, that the Speaker appoint a Conference Committee of 3 members of the House, and that

the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker :

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

S. F. Nos. 32, 77, 85, 97 and 102.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 32, A bill for an act relating to cemeteries; requiring the maintenance of certain abandoned cemeteries; amending Minnesota Statutes 1980, Section 306.243, Subdivision 1.

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

S. F. No. 77, A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1980, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.

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

S. F. No. 85, A bill for an act relating to towns; providing for separate election of town supervisors; amending Minnesota Statutes 1980, Section 367.03, by adding a subdivision.

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

S. F. No. 97, A bill for an act relating to agriculture; changing Todd County from area one to area four for the purposes of potato promotion; amending Minnesota Statutes 1980, Section 30.464, Subdivision 1.

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

S. F. No. 102, A bill for an act relating to towns; providing for certain notice requirements; amending Minnesota Statutes 1980, Section 365.12.

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

### GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sieben, H., in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

### REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

S. F. No. 23 which it recommended to pass.

On the motion of Eken the report of the Committee of the Whole was adopted.

### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 230:

Sieben, M.; Kahn and Nelsen, B.

### MOTIONS AND RESOLUTIONS

Peterson, B., moved that H. F. No. 253 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Welker moved that the name of Brinkman be added as an author on H. F. No. 344. The motion prevailed.

Clawson moved that the name of Valan be added as an author on H. F. No. 364. The motion prevailed.

Evans moved that his name be stricken as an author on H. F. No. 373. The motion prevailed.

Aasness moved that H. F. No. 231 be returned to its author. The motion prevailed.

## ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 19, 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 19, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

