

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

FIFTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 12, 1982

The House of Representatives convened at 12:00 noon and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Reverend Thomas Salmon, Warrendale Presbyterian Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Ewald, McDonald and Sieben, M., were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson, C., 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

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 376, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; authorizing and taxing parimutuel wagering on races if authorized by law.

Reported the same back with the following amendments:

Page 1, line 12, after "*horse*", insert "*and dog*"

Page 1, line 17, after "*horse*", insert "*and dog*"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 376 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following recess bill introductions were prefiled with the Speaker. Pursuant to House Rule 9.5 these bills were given a file number and referred to committee.

Clawson introduced:

H. F. No. 1541, A bill for an act relating to crimes; prohibiting the practice of deprogramming; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Skoglund introduced:

H. F. No. 1542, A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivisions 1, 2 and by adding a subdivision; 473.704, Subdivisions 1, 5, 13, 14 and 17; 473.705; and 473.706; proposing new law coded in Minnesota Statutes, Chapter 473; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.703, Subdivisions 3, 4, 5, 6, 8, and 9; 473.704, Subdivisions 2, 3, 4, 6, and 15; 473.711; 473.713; 473.714; 473.715; and 473.717.

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

Onnen, Jude, McEachern and Kvam introduced:

H. F. No. 1543, A bill for an act relating to hazardous wastes; liability of commercial disposal facility operators; waiver of state immunity in certain cases; amending Minnesota Statutes 1980, Section 115A.28, by adding a subdivision.

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

McEachern and Jude introduced:

H. F. No. 1544, A bill for an act relating to the environment; providing for a fee and a gross earnings tax on hazardous wastes in order to compensate local governmental units and certain landowners for costs associated with the wastes; requiring certain leasing arrangements for hazardous waste disposal facilities; establishing a state fund; imposing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 115A.06, by adding subdivisions; and 115A.15, Subdivision 6; proposing new law coded in Minnesota Statutes, Chapters 115A and 295.

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

O'Connor, Lehto, Kelly, Levi and Mehrkens introduced:

H. F. No. 1545, A bill for an act relating to traffic offenses; prohibiting the issuance of arrest warrants for parking violations; amending Minnesota Statutes 1980, Section 171.16, by adding a subdivision.

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

Kelly, Clawson and Byrne introduced:

H. F. No. 1546, A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, Subdivision 4.

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

Niehaus, Brinkman, Piepho, Frerichs and Murphy introduced:

H. F. No. 1547, A bill for an act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.

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

Fjoslien; Nelson, K.; Piepho; Wenzel and Ogren introduced:

H. F. No. 1548, A bill for an act relating to energy; exempting ethanol or fuel alcohol plants from certificate of need requirements; amending Minnesota Statutes 1980, Section 116H.13, Subdivision 8.

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

Vanasek, Lehto, Lemen, Rose and Kelly introduced:

H. F. No. 1549, A bill for an act relating to crimes and criminals; authorizing departures from the presumptive sentences established in the sentencing guidelines; amending Minnesota Statutes 1980, Section 244.10, Subdivision 2, and by adding subdivisions.

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

Anderson, I., introduced:

H. F. No. 1550, A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

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

Ogren introduced:

H. F. No. 1551, A bill for an act relating to pesticides; prescribing limitations on the aerial application of certain pesticides; proposing new law coded in Minnesota Statutes, Chapter 18.

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

Carlson, L.; Reif and Swanson introduced:

H. F. No. 1552, A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; amending Minnesota Statutes 1980, Sections 62F.01, Subdivision 2; and 62F.06, Subdivision 1.

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

Sieben, M.; Dempsey; Anderson, G.; Halberg and Mann introduced:

H. F. No. 1553, A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

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

Fjoslien; Mann; Munger; Anderson, I., and Welker introduced:

H. F. No. 1554, A bill for an act relating to aeronautics; providing for the registration of certain aircraft as collector aircraft; amending Minnesota Statutes 1980, Sections 360.55, Subdivision 4; and 360.59, Subdivision 10.

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

The following House Files were introduced:

McEachern, Kostohryz, Levi, Tomlinson and Anderson, B., introduced:

H. F. No. 1555, A bill for an act relating to education; extending the period for transferring money from operating to non-operating funds; amending Minnesota Statutes 1980, Section 121.912, Subdivisions 2 and 3.

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

McEachern, Kostohryz, Levi, Jennings and Anderson, B., introduced:

H. F. No. 1556, A bill for an act relating to education; making health and developmental screening for preschool children optional; amending Minnesota Statutes 1981 Supplement, Section 123.702, Subdivisions 1 and 1a.

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

McEachern, Tomlinson, Levi and Jennings introduced:

H. F. No. 1557, A bill for an act relating to education; granting discretion to local school boards regarding the use of bequests, donations, or gifts to school districts; amending Minnesota Statutes 1980, Sections 123.40, Subdivision 3; and 465.03.

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

Simoneau introduced:

H. F. No. 1558, A bill for an act relating to unemployment compensation; altering provisions with respect to the advance of federal funds; altering "triggers" relating to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; amending Minnesota Statutes 1980, Sections 268.05, Subdivision 6; 268.071, Subdivisions 1, 3, 5, and 6, and by adding subdivisions; 268.08, Subdivision 1; and 268.09, by adding a subdivision.

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

Simoneau, Vellenga, Eken and Sieben, H., introduced:

H. F. No. 1559, A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

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

Sieben, M., and Levi introduced:

H. F. No. 1560, A bill for an act relating to education; authorizing certain school districts in Washington County which did not qualify for the grandfather levy to make an additional levy for school maintenance purposes; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.

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

Schoenfeld, Munger, McDonald and Wynia introduced:

H. F. No. 1561, A bill for an act relating to hazardous wastes; providing civil and criminal penalties for the illegal processing, handling or disposal thereof; authorizing rewards for informants; proposing new law coded in Minnesota Statutes, Chapter 115A.

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

Fjoslien, Jude, Wenzel, Hauge and Dempsey introduced:

H. F. No. 1562, A bill for an act relating to the environment; restricting certain disposal facilities to use of space above ground; amending Minnesota Statutes 1980, Section 115A.03, Subdivision 10.

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

Nelsen, B.; Johnson, D., and Anderson, G., introduced:

H. F. No. 1563, A bill for an act relating to public employment; providing for an optional separate bargaining unit for teachers at area vocational-technical institutes; amending Minnesota Statutes 1980, Section 179.63, Subdivision 17; 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.

Weaver, Reif, Kahn, Jude and Dean introduced:

H. F. No. 1564, A bill for an act relating to the University of Minnesota hospitals; repealing authority to issue state bonds; repealing Laws 1981, Chapter 275.

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

Ogren; Begich; Stumpf; Anderson, I., and Schoenfeld introduced:

H. F. No. 1565, A bill for an act relating to game and fish; authorizing antlerless deer permits throughout the state; amending Minnesota Statutes 1980, Section 98.50, by adding a subdivision.

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

Voss, Shea, Brandl, Laidig and Hoberg introduced:

H. F. No. 1566, A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; proposing new law coded as Minnesota Statutes, Chapter 15B.

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

Tomlinson, Hauge and Anderson, I., introduced:

H. F. No. 1567, A bill for an act relating to taxation; providing a new system for property taxation of railroads; amending Minnesota Statutes 1981 Supplement, Section 272.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 270; repealing Minnesota Statutes 1980, Sections 270.80 to 270.90.

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

Nelsen, B.; Nysether and Munger introduced:

H. F. No. 1568, A bill for an act relating to taxidermy; changing certain reporting requirements; amending Minnesota Statutes 1980, Section 98.51, Subdivision 3.

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

Lehto introduced:

H. F. No. 1569, A bill for an act relating to taxation; modifying the exemption of certain town levies; amending Minnesota Statutes 1981 Supplement, Section 275.515.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 818, A bill for an act relating to game and fish; increasing the amount set aside from any increased deer license fees for deer habitat improvement; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Sections 97.49, Subdivision 1a; and 100.27, Subdivision 2.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Reding moved that the House refuse to adopt the Conference Committee report on S. F. No. 818, and that the bill be returned to the Senate and to the Conference Committee. The motion prevailed.

MOTIONS AND RESOLUTIONS

Peterson, B., moved that the name of Rothenberg be added as an author on H. F. No. 1539. The motion prevailed.

Greenfield moved that the name of Welch be added as an author on H. F. No. 1528. The motion prevailed.

Eken moved that the House accede to the request of the Governor for a Joint Convention to hear the message of the Governor on Wednesday, January 13, 1982, at 12:00 noon; that the Chief Clerk be instructed to invite the Senate to meet in Joint Convention at 11:45 a.m. and advise the Governor regarding the Joint Convention; and that the Speaker appoint a committee of five members to act with a similar committee to be appointed

by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Criminal Justice: Remove the name of Blatz and add the name of Hokr.

General Legislation and Veterans Affairs: Remove the name of Hokr and add the name of Blatz.

The Speaker announced the appointment of the following committee to escort the Governor to the Joint Convention tomorrow:

Carlson, D.; Laidig; Johnson, D.; Vanasek and Gustafson.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 11:30 a.m., Wednesday, January 13, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Wednesday, January 13, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives