

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1982

FIFTY-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 13, 1982

The House of Representatives convened at 11:30 a.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by The Reverend Monsignor Ambrose Hayden, Vicar General of St. Paul Archdiocese, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Ewald and Voss 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 the Rules of the House, printed copies of H. F. No. 376 have been placed in the members' files.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Samuelson introduced:

H. F. No. 1570, A bill for an act relating to commerce; providing for the licensing, bonding, and insuring of certain builders; proposing new law coded in Minnesota Statutes, Chapter 326.

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

Samuelson introduced:

H. F. No. 1571, A bill for an act relating to state government; providing for the self insurance of employee health benefits; amending Minnesota Statutes 1981 Supplement, Sections 43A.22; 43A.23; 43A.26; 43A.30, Subdivision 2; 43A.31, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 43A.

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

Byrne; Clark, J.; Swanson; Blatz and Olsen introduced:

H. F. No. 1572, A bill for an act relating to health; establishing the right to complete information on all alternative treatments for patients with breast cancer; amending Minnesota Statutes 1980, Section 144.651.

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

Swanson, Vanasek, Reif, Welch and Kaley introduced:

H. F. No. 1573, A bill for an act relating to crimes; prohibiting the sale, transfer and delivery of simulated controlled substances; prohibiting their sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

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

Dempsey introduced:

H. F. No. 1574, A bill for an act relating to Independent School District No. 084, Sleepy Eye; requiring revision of its certified statutory operating debt.

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

Lemen, Gustafson, Redalen and Staten introduced:

H. F. No. 1575, A bill for an act relating to economic development; creating a legislative commission for job development; appropriating money; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 290.06, Subdivision 1; and 297A.25, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Berkelman, Metzen, Dean and Brinkman introduced:

H. F. No. 1576, A bill for an act relating to commerce; regulated loans; extending a prohibition on certain types of first liens taken on regulated loans to industrial loan and thrift companies and clarifying this prohibition to exclude loans used to satisfy the balance due on a contract for deed; applying the statutory provisions relating to conventional loan defaults to regulated loans; clarifying the method for the computation of interest; allowing the combination of loans of different maturities and interest rates; prohibiting attorney's fees except in connection with mortgage foreclosures; placing certain restrictions on the procurement of insurance in connection with a loan; providing miscellaneous technical and clarifying amendments; and eliminating a duplicative provision; amending Minnesota Statutes 1980, Section 53.04, Subdivision 5; and Minnesota Statutes 1981 Supplement, Sections 53.01; 53.04, Subdivision 3a; 56.12; 56.131, Subdivisions 1, 3, and 5; 56.14; 56.155; 334.02; and 334.03; proposing new law coded in Minnesota Statutes, Chapter 56.

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

Fjoslien; Munger; Rose; Nelson, K., and Hauge introduced:

H. F. No. 1577, A bill for an act relating to easements; permitting utilization of wind easements for the operation of wind power systems; amending Minnesota Statutes 1980, Section 500.30.

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

Ogren introduced:

H. F. No. 1578, A bill for an act relating to state forests; prohibiting aerial application of 2, 4-D by the commissioner of natural resources; amending Minnesota Statutes 1980, Section 89.01, by adding a subdivision.

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

Samuelson introduced:

H. F. No. 1579, A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.

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

Samuelson introduced:

H. F. No. 1580, A bill for an act relating to state lands; providing for the conveyance of certain tax forfeited lands.

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

Reding introduced:

H. F. No. 1581, A bill for an act relating to judicial procedures; providing an alternative time for a guardian or conservator to file an annual report; amending Minnesota Statutes 1981 Supplement, Section 525.58, Subdivision 1.

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

Reding introduced:

H. F. No. 1582, A bill for an act proposing an amendment to the Minnesota Constitution, to repeal Article XIII, Section 5; removing the prohibition against lotteries.

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

Begich; Battaglia; Elioff; Anderson, I., and Carlson, D., introduced:

H. F. No. 1583, A bill for an act relating to counties; fixing conditions for the operation of waste facilities; amending Minnesota Statutes 1980, Section 400.16.

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

Fjoslien; Hoberg; Sieben, H.; Johnson, D., and Heinitz introduced:

H. F. No. 1584, A bill for an act relating to unemployment compensation; regulating benefit deductions for national guard and military reserve pay; amending Minnesota Statutes 1980, Section 268.07, Subdivision 2.

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

Simoneau introduced:

H. F. No. 1585, A bill for an act relating to public employees; authorizing school districts to renegotiate certain teacher contracts.

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

Anderson, B.; Schoenfeld and Jude introduced:

H. F. No. 1586, A bill for an act relating to crimes; requiring mandatory jail sentences and other dispositional alternatives for persons convicted of driving while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivision 2; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I have the honor to inform the House of Representatives that the Senate is ready to meet with the House in Joint Convention at 11:45 a.m., Wednesday, January 13, 1982, to receive the message of the Honorable Albert H. Quie, Governor of the State of Minnesota, which will be delivered at 12:00 Noon.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a similar committee on the part of the House to escort the Governor to the Joint Convention to be held in the House Chamber, Wednesday, January 13, 1982, said Joint Convention to be convened at 11:45 a.m. and said message of the Governor to be delivered at 12:00 Noon.

Messrs. Petty, Berg, Frank, Purfeerst and Mrs. Brataas have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of 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. 1139, A bill for an act relating to courts; providing for certain reorganization in the court system in the state; providing that the second and fourth judicial district courts shall also be probate courts; creating certain judicial positions to be filled by election; raising the jurisdictional limit in county and county municipal court; providing the county and county municipal court with gross misdemeanor jurisdiction; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; authorizing the judges of the courts within each judicial district to elect to form one unified court; creating an appellate division of the district court; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision

1, and by adding a subdivision; 260.031, Subdivision 1; 484.01; 484.70, Subdivision 1, and by adding subdivisions; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 488A.01, Subdivisions 4, 6 and 8; 488A.18, Subdivisions 4, 7, 9 and 13; 488A.27, Subdivision 11; 525.10; proposing new law coded in Minnesota Statutes, Chapter 484; proposing new law coded as Minnesota Statutes, Chapter 484A; repealing Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 525.04; and Laws 1978, Chapter 750, Section 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jude moved that the House refuse to concur in the Senate amendments to H. F. No. 1139, that the Speaker appoint a Conference Committee of 5 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.

MOTIONS AND RESOLUTIONS

Ogren moved that the name of Clark, K., be added as an author on H. F. No. 1551. The motion prevailed.

Stowell moved that his name be stricken as an author on H. F. No. 1520. The motion prevailed.

Wenzel introduced:

House Resolution No. 20, A house resolution commemorating the 100th anniversary of the birth of President Franklin D. Roosevelt.

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

Eken moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention. The motion prevailed, and the Speaker declared the House recessed.

RECESS

RECONVENED

The Speaker called the House to order at 11:45 a.m.

The Sergeant at Arms announced the arrival of the members of the Senate, and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Chaplain.

The roll being called, the following Senators answered to their names: Ashbach, Bang and Belanger.

Senator Moe, R. D., moved that further proceedings of the roll call be dispensed with. The motion prevailed, and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Joan Anderson Growe, Secretary of State. The Secretary of State was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Jim Lord, State Treasurer. The State Treasurer was escorted to the seat reserved for him at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Warren Spannaus, Attorney General. The Attorney General was escorted to the seat reserved for him at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Lou Wangberg, Lieutenant Governor. The Lieutenant Governor was escorted to the seat reserved for him at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Douglas K. Amdahl, Chief Justice of the Supreme Court and the Associate Justices of the Supreme Court. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of former governors Harold E. Stassen, Elmer L. Andersen, Harold LeVander and Wendell R. Anderson. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Albert H. Quie, Governor of the State of Minnesota and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Albert H. Quie was presented by the President of the Joint Convention and the Governor delivered his "State of State Address" to the members of the Convention and their guests.

Following the address, Senator Moe, R. D., moved that the Joint Convention arise. The motion prevailed, and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 14, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

