STATE OF MINNESOTA

FIRST SPECIAL SESSION - 1982

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 30, 1982

In obedience to the proclamation of the Honorable Albert H. Quie, Governor of the State of Minnesota, summoning the two houses of the Legislature to meet in Special Session, the members of the House of Representatives assembled in the House chamber at the Capitol in Saint Paul on Tuesday, the thirtieth day of March, 1982, at 10:00 a.m.

A copy of the proclamation for the First Special Session 1982 is on file in the office of the Chief Clerk. The proclamation is dated March 25, 1982.

Pursuant to the proclamation and Minnesota Statutes 1980, Section 3.073, the Honorable Harry A. Sieben, Jr., Speaker of the House, called the House of Representatives to order.

Prayer was offered by Reverend Herbert Kohl, First Christian Church, St. Paul, Minnesota.

The Chief Clerk called the roll by legislative district in numerical order and the following members answered to their names:

District	1A	
District	1B	LeRoy Stumpf
District	2A	Tony Stadum
District	2B	Willis Eken
District	3A	Irv Anderson
District	3B	
District	4A	John A. Ainley
District	4 B	Glen Sherwood
District	5A	
District	5B	Lona Minne
District	6A	Joseph R. Begich
District	6B	David P. Battaglia
District	7A	Willard Munger
District	7B	Ben E. Gustafson
District	8A	Arlene Lehto
District	8B	Thomas R. Berkelman
District	9A	Dwaine H. Hoberg

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District	9D		. Merlyn Valan
District			Dob Andenson
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District			Paul D. Aasness
District	IIR		. Dave Fjoslien
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			. Stephen G. Wenzel
District			. Don Samuelson
District	13B		Paul Anders Ogren
District			. Doug Carlson
District	14B		. Mary Murphy
District District	15A		. Earl Hauge . Glen Anderson
District	15B		. Glen Anderson
District	16A		. Joe T. Niehaus
District	16B		.B. J. Brinkman
District District	17A		. Marcus Marsh
District	17B		. Dave Gruenes
			. Dick Welch
District District	18B		Bob McEachern
District	19A		John T. Clawson
District			John Weaver
District	204		.Ray Welker
District			Cal Ludeman
District			. Dean Elton Johnson
District			. Gaylin Den Ouden
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District		••••••	. Tony Onnen Cany Schofer
District	20A 99D		. Gary Schafer . Carl M. Johnson
District			. Robert E. Vanasek
District District	24D		Marnie Luknic
		· · · · · · · · · · · · · · · ·	Steve Sviggum
District			. Lyle Mehrkens
District	26A		. Buzz Anderson
District			. Wendell O. Erickson
District		· • · • • • • • • • • •	. George Mann
District District	ZIB	· · · · · · · · · · · ·	. David Jennings
District	ZSA		. Gilbert Esau
District			. Terry Dempsey
District			Mark Piepho
District			. Richard (Dick) Wigley
District			Henry J. Kalis
District			Jerry Schoenfeld
District			Bob Haukoos
District		 .	. Leo J. Reding
District			. Tom J. Shea
District	32B		•
District			J. R. "Dick" Kaley
District			Warren "Tom" Stowell Tim Sherman
District	34A		. Warren "Tom" Stowell
District			. Tim Sherman
District	35A		Elton R. Redalen
District	35B		. Al Wieser, Jr.
District	36A		•

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District 63B John Drew			Kathleen Vellenga
	District 63B		John Drew

District	64A	 Tom Osthoff
District	64B	 Peggy Byrne
		Fred C. Norton
District	65B	 Tom Harens
		Richard M. O'Connor
		Randy C. Kelly
		Frank J. Rodriguez, Sr.
District	67B	 John Tomlinson

127 members answered to the call by legislative district.

Evans, Frerichs, Hanson, McDonald, Searles, Sieben, M. and Zubay were excused.

The roll was called in alphabetical order and the following members were present:

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

Eken moved that the Chief Clerk be and is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is now duly organized pursuant to law for the First Special Session 1982. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

. . .

Simoneau, Jennings, Eken, Heinitz and Sieben, H., introduced :

H. F. No. 1, A bill for an act relating to unemployment compensation: establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds: altering "triggers" related 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; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of con-tributions, reimbursements, and overpayments; modifying employer contribution provisions: altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money: amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4: 268.16, Subdivision 3, as amended.

The bill was read for the first time.

Long introduced:

H. F. No. 2, A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 116; proposing new law coded as Minnesota Statutes, Chapter 115B; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2. The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eken moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

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

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Simoneau moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Simoneau moved that the rules of the House be so far suspended that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

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

H. F. No. 1. A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related 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; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04. Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Eken moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

This is to notify you that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1, A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related 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; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions: altering tax rates: regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted: S. F. No. 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3, A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Samuelson moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Samuelson moved that the rules of the House be so far suspended that S. F. No. 3 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3 was read for the second time.

S. F. No. 3, A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

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Erickson

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

Nysether

Those who voted in the affirmative were:

The bill was passed and its title agreed to.

Knickerbocker O'Connor

Kelly

FIRST READING OF SENATE BILLS. Continued

Sherman

Sherwood

S. F. No. 4. A bill for an act relating to the operation of state government: authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A,671, Subdivisions 5, as amended, and 9.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota. Eken moved that the rule therein be suspended and an urgency be declared so that S. F. No. 4 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Eken moved that the rules of the House be so far suspended that S. F. No. 4 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 4 was read for the second time.

S. F. No. 4, A bill for an act relating to the operation of state government; authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivisions 5, as amended, and 9.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 31 nays as follows:

Anderson, B.	Gruenes	Lehto	Onnen	Skoglund
Anderson, G.	Gustafson	Lemen	Otis	Stadum
Berkelman	Halberg	Levi	Peterson, B.	Staten
Blatz	Harens	Long	Peterson, D.	Stowell
Brandl	Hauge	Luknic	Piepho	Stumpf
Brinkman	Haukoos	Mann	Pogemiller	Sviggum
Byrne	Heap	Marsh	Redalen	Swanson
Carlson, D.	Heinitz	McEachern	Reding	Tomlinson
Carlson, L.	Himle	Mehrkens	Rees	Vellenga
Clark, J.	Hokanson	Minne	Reif	Voss
Clark, K.	Jacobs	Munger	Rice	Weaver
Dean	Johnson, C.	Murphy	Rodriguez, C.	Welch
Dempsey	Johnson, D.	Nelsen, B.	Rodriguez, F.	Wenzel
Drew	Kahn	Nelson, K.	Rose	Wieser
Eken	Kaley	Norton	Rothenberg	Wynia
Elioff	Kelly	Novak	Sarna	Spkr. Sieben, H.
Ellingson	Knickerbocker	O'Connor	Schoenfeld	-
Forsythe	Kostohryz	Ogren	Schreiber	
Greenfield	Laidig	Olsen	Simoneau	

Those who voted in the affirmative were:

Those who voted in the negative were:

Aasness Ainley Anderson, I. Anderson, R. Battaglia Begich Den Ouden	Erickson Esau Fjoslien Hoberg Jennings Jude Kalis	Kvam Ludeman McCarron Metzen Niehaus Nysether Osthoff	Samuelson Schafer Shea Sherman Sherwood Valan Valento	Vanasek Welker Wigley
Den Onden	1.4115	Osthorn	valento	

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Eken moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1982 First Special Session, for today, Tuesday, March 30, 1982, and that he be authorized to include in the Journal for today any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. The motion prevailed.

Eken moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1982 First Special Session sine die. The motion prevailed.

MOTION TO ADJOURN FIRST SPECIAL SESSION SINE DIE

Eken moved that the House adjourn sine die for the 1982 First Special Session.

A roll call was requested and properly seconded.

The question was taken on the Eken motion and the roll was called. There were 69 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kostohryz	Ogren	Skoglund
Anderson, B.	Ellioff	Lehto	Osthoff	Staten
Anderson, G.	Ellingson	Ludeman	Otis	Swanson
Anderson, I.	Greenfield	Mann	Peterson, D.	Tomlinson
Battaglia	Gustafson	McCarron	Pogemiller	Vanasek
Begich	Harens	McEachern	Reding	Vellenga
Berkelman	Hauge	Metzen	Rice	Voss
Brandl	Hokanson	Minne	Rodriguez, C.	Welch
Brinkman	Jacobs	Munger	Rodriguez, F.	Welch
Byrne	Johnson, C.	Murphy	Samuelson	Welker
Carlson, L.	Jude	Nelson, K.	Sarna	Wenzel
Clark, J.	Kahn	Norton	Schoenfeld	Wigley
Clark, K.	Kalis	Novak	Shea	Wynia
Dahlvang	Kelly	O'Connor	Simoneau	Spkr. Sieben, H.

Those who voted in the negative were:

AinleyGruenesAnderson, R.HalbergBlatzHaukoosCarlson, D.HeapDempseyHeinitzDen OudenHimleDrewHobergEricksonHokrEsauJenningsFjoslienJohnson, D.ForsytheKaley	Knickerbocker Kvam Laidig Lemen Levi Luknic Marsh Mehrkens Nelsen, B. Nysether Olsen	Onnen Peterson, B. Piepho Redalen Rees Reif Rose Rothenberg Schafer Schafer Scheriber Sherman	Sherwood Stadum Stowell Sviggum Valento Weaver Wieser
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The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1982 First Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

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