

## STATE OF MINNESOTA

## SECOND SPECIAL SESSION - 1982

## FIRST DAY

SAINT PAUL, MINNESOTA, FRIDAY, JULY 9, 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 Friday, the ninth day of July, 1982, at 10:00 a.m.

A copy of the proclamation for the 1982 Second Special Session is on file in the office of the Chief Clerk. The proclamation is dated July 2, 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 Dr. Earl F. Miller, Pastor of Pilgrim Baptist 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	Myron Nysether
District 1B	LeRoy Stumpf
District 2A	Tony Stadum
District 2B	Willis Eken
District 3A	Irv Anderson
District 3B	Robert Lemen
District 4A	John A. Ainley
District 4B	Glen Sherwood
District 5A	Dominic J. Elioiff
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
District 9B	Merlyn Valan
District 10A	Jim Evans
District 10B	Bob Anderson
District 11A	Paul D. Aasness
District 11B	Dave Fjoslien
District 12A	
District 12B	Stephen G. Wenzel
District 13A	
District 13B	Paul Anders Ogren
District 14A	Doug Carlson
District 14B	Mary Murphy
District 15A	Earl Hauge
District 15B	Glen Anderson
District 16A	Joe T. Niehaus
District 16B	B. J. Brinkman
District 17A	Marcus Marsh
District 17B	Dave Gruenes
District 18A	Dick Welch
District 18B	Bob McEachern
District 19A	John T. Clawson
District 19B	John Weaver
District 20A	Ray Welker
District 20B	Cal Ludeman
District 21A	Dean Elton Johnson
District 21B	Gaylin Den Ouden
District 22A	Adolph L. Kvam
District 22B	Tony Onnen
District 23A	Gary Schafer
District 23B	Carl M. Johnson
District 24A	Robert E. Vanasek
District 24B	Marnie Luknic
District 25A	Steve Sviggum
District 25B	Lyle Mehrkens
District 26A	Buzz Anderson
District 26B	Wendell O. Erickson
District 27A	George Mann
District 27B	David Jennings
District 28A	Gilbert Esau
District 28B	Terry Dempsey
District 29A	Mark Piepho
District 29B	Richard (Dick) Wigley
District 30A	Henry J. Kalis
District 30B	Jerry Schoenfeld
District 31A	Bob Haukoos
District 31B	Leo J. Reding
District 32A	Tom J. Shea
District 32B	Don Frerichs
District 33A	J. R. "Dick" Kaley
District 33B	Ken Zubay
District 34A	Warren "Tom" Stowell
District 34B	Tim Sherman
District 35A	Elton R. Redalen

District 35B	Al Wieser, Jr.
District 36A	K. J. McDonald
District 36B	Tom Rees
District 37A	Shirley Hokanson
District 37B	James C. "Jim" Swanson
District 38A	Kathleen Blatz
District 38B	Bill Peterson
District 39A	Mary Forsythe
District 39B	John Himle
District 40A	Doug Ewald
District 40B	Jerry Knickerbocker
District 41A	Sally Olsen
District 41B	Elliot Rothenberg
District 42A	Tad Jude
District 42B	Robert L. Searles
District 43A	Lon Heinitz
District 43B	Jim Heap
District 44A	Lyndon R. Carlson
District 44B	Dorothy Hokr
District 45A	Bill Schreiber
District 45B	Robert L. "Bob" Ellingson
District 46A	Paul McCarron
District 46B	Wayne Simoneau
District 47A	Joel Jacobs
District 47B	Gordon O. Voss
District 48A	Steven G. Novak
District 48B	John Rose
District 49A	Don Valento
District 49B	Robert W. (Bob) Reif
District 50A	Connie Levi
District 50B	Dick Kostohryz
District 51A	Gary W. Laidig
District 51B	Mike Sieben
District 52A	James P. Metzen
District 52B	Harry Sieben, Jr.
District 53A	Carolyn Rodriguez
District 53B	Charles C. "Chuck" Halberg
District 54A	
District 54B	James I. Rice
District 55A	Lawrence J. Pogemiller
District 55B	John J. Sarna
District 56A	Randy W. Staten
District 56B	Dee Long
District 57A	Phyllis Kahn
District 57B	Lee Greenfield
District 58A	Bill Dean
District 58B	Todd Otis
District 59A	Karen Clark
District 59B	Ken Nelson
District 60A	Janet Clark
District 60B	Donna Peterson
District 61A	John Brandl
District 61B	Wesley J. "Wes" Skoglund
District 62A	Ann Wynia

District 62B	Walter Hanson
District 63A	Kathleen Vellenga
District 63B	John Drew
District 64A	Tom Osthoff
District 64B	Peggy Byrne
District 65A	Fred C. Norton
District 65B	Tom Harens
District 66A	Richard M. O'Connor
District 66B	Randy C. Kelly
District 67A	Frank J. Rodriguez, Jr.
District 67B	John Tomlinson

131 members answered to the call by legislative district.

Dahlvang; Nelsen, B., and Samuelson were excused.

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

Aasness	Evans	Kelly	Ogren	Simoneau
Ainley	Ewald	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.	Sviggum
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	McDonald	Rodriguez, C.	Weaver
Clark, J.	Himle	McEachern	Rodriguez, F.	Welch
Clark, K.	Hoberg	Mehrkens	Rose	Welker
Clawson	Hokanson	Metzen	Rothenberg	Wenzel
Dean	Hokr	Minne	Sarna	Wieser
Dempsey	Jacobs	Munger	Schafer	Wigley
Den Ouden	Jennings	Murphy	Schoenfeld	Wynia
Drew	Johnson, C.	Nelson, K.	Schreiber	Zubay
Eken	Johnson, D.	Niehaus	Searles	Spkr. Sieben, H.
Elioff	Jude	Norton	Shea	
Ellingson	Kahn	Novak	Sherman	
Erickson	Kaley	Nysether	Sherwood	
Esau	Kalis	O'Connor	Sieben, M.	

A quorum was present.

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 now duly organized pursuant to law for the 1982 Second Special Session. The motion prevailed.

Eken moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1982 Second Special Session, for today, Friday, July 9, 1982, and that he be authorized to include in the Journal for today any subse-

quent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. The motion prevailed.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Begich, Battaglia, Elioff, Lemen and Minne introduced:

H. F. No. 1, A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.

The bill was read for the first time.

Rees and Knickerbocker introduced:

H. F. No. 2, A bill for an act relating to metropolitan government; apportioning metropolitan council districts; requiring that metropolitan council boundaries be redrawn from each federal census; amending Minnesota Statutes 1980, sections 473.123, subdivisions 2 and 3; and 473.141, subdivisions 2 and 5.

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

## HOUSE ADVISORIES

The following House Advisory was introduced:

Staten, Ogren, Norton, Stumpf, and Clark, K., introduced:

H. A. No. 1, A proposal to assist Minnesotans without unemployment compensation or other forms of relief.

The advisory was referred to the Committee on Governmental Operations.

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, Begich 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.

Begich 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.

Stadum and Valan offered an amendment to H. F. No. 1.

## POINT OF ORDER

Eken raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Valan, Stadum, Welker and Redalen moved to amend H. F. No. 1, as follows:

Pages 14 to 16, delete sections 10, 11 and 12 and insert:

**"Sec. 10. [DISTRESSED AREA EMERGENCY LOAN PROGRAM.]**

*Subdivision 1. [APPROPRIATION.] Notwithstanding Minnesota Statutes, section 298.293 or any other law, there is appropriated to the commissioner of iron range resources and rehabilitation from the northeast Minnesota economic protection trust fund the sum of \$7,500,000 for the purpose of subdivision 2.*

*Subd. 2. [LOAN PROGRAM.] The commissioner shall expend the money appropriated by subdivision 1 solely to make loans to residents of the tax relief area defined in Minnesota Statutes, section 273.134 over the age of 19 who receive unemployment benefits from the state of Minnesota at any time in 1982. A person may be extended only one loan. The maximum loan amount shall be \$750. A loan shall bear simple interest at the rate of ten percent per annum and shall have a term of one*

*year. No loan shall be made after June 30, 1983. Any part of the appropriation and interest earned thereon not loaned by June 30, 1983 shall be paid back to the trust fund. All loan repayments shall also be paid to the trust fund within one month of receipt."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 5, delete "job" and insert "loan"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 38 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Hokr	Olsen	Valan
Ainley	Fjoslien	Kaley	Piepho	Valento
Dean	Forsythe	Knickerbocker	Rothenberg	Welker
Dempsey	Frerichs	Kvam	Schafer	Wieser
Den Ouden	Halberg	Ludeman	Searles	Wigley
Drew	Heap	McDonald	Stadum	Zubay
Erickson	Heinitz	Niehaus	Stowell	
Esau	Himle	Nysether	Sviggun	

Those who voted in the negative were:

Anderson, B.	Ewald	Lehto	Onnen	Skoglund
Anderson, G.	Greenfield	Lemen	Osthoff	Staten
Anderson, I.	Gruenes	Long	Otis	Stumpf
Anderson, R.	Gustafson	Luknic	Peterson, B.	Swanson
Battaglia	Hanson	Mann	Pogemiller	Tomlinson
Begich	Hauge	Marsh	Reding	Vanasek
Berkelman	Haukoos	McCarron	Rees	Vellenga
Blatz	Hokanson	McEachern	Reif	Voss
Brandl	Jacobs	Mehrkens	Rice	Weaver
Brinkman	Jennings	Minne	Rodriguez, F.	Welch
Byrne	Johnson, D.	Munger	Sarna	Wenzel
Carlson, L.	Jude	Murphy	Schoenfeld	Wynia
Clark, J.	Kahn	Nelson, K.	Schreiber	Spkr. Sieben, H.
Clawson	Kalis	Norton	Shea	
Eken	Kelly	Novak	Sherwood	
Elioff	Kostohryz	O'Connor	Sieben, M.	
Ellingson	Laidig	Ogren	Simoneau	

The motion did not prevail and the amendment was not adopted.

Stowell moved to amend H. F. No. 1, as follows:

Page 17, line 22, after the period insert *"The northeast Minnesota economic protection trust fund shall pay all of the costs of employing persons under this section including the cost of wages, benefits, workers' compensation benefits or premiums, unem-*

*ployment taxes or benefits and social security taxes. If the amount appropriated by sections 12 and 14 is not sufficient to pay all of the employment costs then there is appropriated when necessary to the commissioner of iron range resources and rehabilitation such further sums as are sufficient to pay those costs."*

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 61 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Knickerbocker	Peterson, B.	Stowell
Ainley	Forsythe	Kvam	Piepho	Svigum
Blatz	Frerichs	Laidig	Redalen	Valan
Carlson, D.	Gruenes	Levi	Rees	Valento
Clawson	Halberg	Ludeman	Reif	Weaver
Dean	Haukoos	Luknic	Rose	Welker
Dempsey	Heap	Marsh	Rothenberg	Wieser
Den Ouden	Heinitz	McDonald	Schafer	Wigley
Drew	Himle	Mehrkens	Schoenfeld	Zubay
Erickson	Hokr	Niehaus	Schreiber	
Esau	Johnson, D.	Nysether	Searles	
Evans	Kaley	Olsen	Sherman	
Ewald	Kalis	Onnen	Stadum	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lemen	Otis	Staten
Anderson, I.	Gustafson	Long	Peterson, D.	Stumpf
Battaglia	Hanson	Mann	Pogemiller	Tomlinson
Begich	Harens	McCarron	Reding	Vanasek
Berkelman	Hauge	Minne	Rice	Vellenga
Brandl	Hokanson	Munger	Rodriguez, C.	Voss
Brinkman	Jennings	Murphy	Rodriguez, F.	Welch
Byrne	Johnson, C.	Nelson, K.	Sarna	Wenzel
Carlson, L.	Jude	Norton	Shea	Wynia
Clark, J.	Kahn	Novak	Sherwood	Spkr. Sieben, H.
Eken	Kelly	O'Connor	Sieben, M.	
Elioff	Kostohryz	Ogren	Simoneau	
Ellingson	Lehto	Osthoff	Skoglund	

The motion did not prevail and the amendment was not adopted.

Stadum, Valan and Rees offered an amendment to H. F. No. 1.

#### POINT OF ORDER

Simoneau raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.



H. F. No. 1, A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.

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 105 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Knickerbocker	O'Connor	Sherman
Anderson, B.	Evans	Kostohryz	Ogren	Sherwood
Anderson, G.	Ewald	Laidig	Olsen	Sieben, M.
Anderson, I.	Fjoslien	Lehto	Onnen	Simoneau
Anderson, R.	Greenfield	Lemen	Osthoff	Skoglund
Battaglia	Gruenes	Levi	Otis	Stadum
Begich	Gustafson	Long	Peterson, B.	Staten
Berkelman	Hanson	Luknic	Peterson, D.	Stowell
Brandl	Harens	Mann	Piepho	Stumpf
Brinkman	Hauge	Marsh	Pogemiller	Sviggum
Byrne	Haukoos	McCarron	Redalen	Swanson
Carlson, D.	Heap	McEachern	Reding	Tomlinson
Carlson, L.	Himle	Mehrkens	Rees	Valan
Clark, J.	Hoberg	Metzen	Rice	Vanasek
Clark, K.	Hokanson	Minne	Rodriguez, C.	Vellenga
Clawson	Jacobs	Munger	Rodriguez, F.	Voss
Dean	Johnson, C.	Murphy	Rose	Weaver
Dempsey	Johnson, D.	Nelson, K.	Rothenberg	Welch
Drew	Jude	Niehaus	Sarna	Wenzel
Eken	Kahn	Norton	Schoenfeld	Wynia
Elioff	Kelly	Novak	Shea	Spkr. Sieben, H.

Those who voted in the negative were:

Ainley	Forsythe	Kaley	Nysether	Valento
Blatz	Frerichs	Kalis	Reif	Welker
Den Ouden	Halberg	Kvam	Schafer	Wieser
Erickson	Heinitz	Ludeman	Schreiber	Wigley
Esau	Jennings	McDonald	Searles	Zubay

The bill was passed and its title agreed to.

## 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 Senate File, herewith transmitted:

S. F. No. 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2, A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.

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, Haukoos moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Haukoos moved that the rules of the House be so far suspended that S. F. No. 2 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 2 was read for the second time.

Stowell moved to amend S. F. No. 2, as follows:

Page 1, delete lines 15 to 17 and insert:

*"Section 1 is effective only with the approval of a majority of voters of the city voting on the question of its approval at a special or regular election. It shall then take effect the day after compliance with Minnesota Statutes, Section 642.021, Subd. 2."*

The motion did not prevail and the amendment was not adopted.

McDonald and Rees offered an amendment to S. F. No. 2.

### POINT OF ORDER

Eken raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 2, A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.

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 114 yeas and 13 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden	Ludeman	Niehaus	Stowell	Wieser
Drew	McDonald	Nysether	Valento	
Kvam	McEachern	Osthoff	Welker	

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.

There being no objection the order of business reverted to Messages from the Senate.

### 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:

H. F. No. 1, A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the Second Special Session sine die.

PATRICK E. FLAHAVEN, Secretary of the Senate

### MOTIONS AND RESOLUTIONS

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 Second Special Session sine die. The motion prevailed.

#### MOTION TO ADJOURN SECOND SPECIAL SESSION SINE DIE

Eken moved that the House adjourn sine die for the 1982 Second Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1982 Second Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives