

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1983

FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 17, 1983

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 Pastor Tomas E. Meeks, House Chaplain, Ramsey, Minnesota.

The roll was called and the following members were present:

Anderson, B.	Evans	Krueger	Peterson	Skoglund
Anderson, G.	Findlay	Kvam	Piepho	Solberg
Anderson, R.	Fjoslien	Larsen	Piper	Sparby
Battaglia	Forsythe	Levi	Price	Stadum
Beard	Frerichs	Long	Quinn	Sviggum
Begich	Graba	Ludeman	Quist	Swanson
Bennett	Greenfield	Mann	Redalen	Thiede
Bergstrom	Gruenes	Marsh	Reif	Tomlinson
Berkelman	Gutknecht	McDonald	Rice	Tunheim
Bishop	Halberg	McEachern	Riveness	Uphus
Blatz	Haukoos	McKasy	Rodosovich	Valan
Brandl	Heap	Metzen	Rodriguez, C.	Valento
Brinkman	Heinitz	Minne	Rodriguez, F.	Vanasek
Burger	Himle	Munger	Rose	Vellenga
Carlson, D.	Hoberg	Murphy	St. Onge	Voss
Carlson, L.	Hoffman	Nelson, D.	Sarna	Waltman
Clark, J.	Hokr	Nelson, K.	Schafer	Welch
Clawson	Jacobs	Neuenschwander	Scheid	Welker
Cohen	Jennings	Norton	Schoenfeld	Welle
Coleman	Jensen	Ogren	Schreiber	Wenzel
DenOuden	Johnson	Olsen	Seaberg	Wigley
Dimler	Kalis	Omamm	Segal	Zaffke
Eken	Kelly	Onnen	Shaver	Speaker Sieben
Elioff	Knickerbocker	Osthoff	Shea	
Ellingson	Knuth	Otis	Sherman	
Erickson	Kostohryz	Pauly	Simoneau	

A quorum was present.

Clark, K.; Dempsey; Gustafson; Kahn; O'Connor; Staten and Wynia were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McDonald 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

Eken from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 14, A bill for an act relating to the legislature; delaying submission of the budget to the legislature to February 15, 1983.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 14 was read for the second 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 H. F. No. 14 be given its third reading and be placed upon its final passage. The motion prevailed.

Eken moved that the rules of the House be so far suspended that H. F. No. 14 be given its third reading and be placed upon its final passage. The motion prevailed.

H. F. No. 14, A bill for an act relating to the legislature; delaying submission of the budget to the legislature to February 15, 1983.

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 121 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Bishop	Cohen	Findlay	Heinitz
Anderson, G.	Blatz	Coleman	Forsythe	Himle
Anderson, R.	Brandl	DenOuden	Frerichs	Hoberg
Battaglia	Brinkman	Dimler	Graba	Hoffman
Beard	Burger	Eken	Greenfield	Hokr
Begich	Carlson, D.	Elioff	Gruenes	Jacobs
Bennett	Carlson, L.	Ellingson	Gutknecht	Jennings
Bergstrom	Clark, J.	Erickson	Haukoos	Jensen
Berkelman	Clawson	Evans	Heap	Johnson

Kalis	Metzen	Piepho	Scheid	Valan
Kelly	Minne	Piper	Schreiber	Valento
Knickerbocker	Munger	Price	Seaberg	Vanasek
Knuth	Murphy	Quinn	Segal	Vellenga
Kostohryz	Nelson, D.	Quist	Shaver	Voss
Krueger	Nelson, K.	Redalen	Shea	Waltman
Kvam	Neuenschwander	Reif	Sherman	Weich
Larsen	Norton	Rice	Simoneau	Welle
Levi	Ogren	Riveness	Skoglund	Wenzel
Long	Olsen	Rodosovich	Solberg	Wigley
Ludeman	Omann	Rodriguez, C.	Sparby	Zaffke
Mann	Onnen	Rodriguez, F.	Swanson	Speaker Sieben
Marsh	Osthoff	Rose	Thiede	
McDonald	Otis	St. Onge	Tomlinson	
McEachern	Pauly	Sarna	Tunheim	
McKasy	Peterson	Schafer	Uphus	

Those who voted in the negative were:

Fjoslien Halberg Stadum Sviggum Welker

The bill was passed and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Anderson, B., and Osthoff introduced:

H. F. No. 44, 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 134 members and for recall.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Kelly, Stadum, Beard and Brinkman introduced:

H. F. No. 45, A bill for an act relating to commerce; providing procedures for opening checking accounts; extending civil liability for issuing a worthless check; clarifying conciliation court jurisdiction regarding dishonored checks; modifying procedures to prove issuance of a worthless check; expanding types of worthless checks prohibited; requiring banks to release certain checking account information; increasing penalties for issuing a worthless or forged check; amending Minnesota Statutes 1982, sections 487.30, subdivision 4; 488A.12, subdivision 3; 488A.29, subdivision 3; 609.535, subdivisions 2, 3, 5, 6, 7, and 8, and by adding subdivisions; and 609.625, subdivision 1; proposing new law coded in Minnesota Statutes, chapters 48, 332, and 609.

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

Wenzel, Uphus, Krueger, Evans and Graba introduced:

H. F. No. 46, A resolution memorializing the President and Congress to repeal the Secretary of Agriculture's authority to deduct 50 cents per hundredweight from milk producer payments.

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

Kalis, Schoenfeld, Redalen, Rodosovich and Sparby introduced:

H. F. No. 47, A bill for an act relating to taxation; sales; expanding the definition of farm machinery to include repair and replacement parts; amending Minnesota Statutes 1982, section 297A.01, subdivision 15.

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

Staten; Vanasek; Clark, J.; Piepho and Brandl introduced:

H. F. No. 48, A bill for an act relating to crimes; prohibiting adulterating products intended for use by persons with substances causing bodily harm or death; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 609.

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

Staten, Norton, Segal, Greenfield and Kvam introduced:

H. F. No. 49, A bill for an act relating to state employees; establishing Martin Luther King's birthday as an optional holiday; amending Minnesota Statutes 1982, section 645.44, subdivision 5.

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

Staten; Clark, J.; Clark, K., and Rice introduced:

H. F. No. 50, A bill for an act relating to education; providing funds for labor education; appropriating money.

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

Onnen, Valento and Piepho introduced:

H. F. No. 51, 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 V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing for a unicameral legislature of 101 to 135 members.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Onnen, Evans, Redalen, Piepho and Valento introduced:

H. F. No. 52, A bill for an act relating to taxation; income; imposing a tax for individuals, estates, and trusts computed as a percentage of federal income tax liability; proposing an amendment to the Minnesota Constitution, Article X by adding a section permitting state tax laws to adopt future federal tax law amendments by reference; proposing new law coded as Minnesota Statutes, chapter 289A.

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

Elioff introduced:

H. F. No. 53, A bill for an act relating to occupations and professions; cosmetology; providing for the licensing of cosmetologists and certain related occupations; establishing a board of cosmetology; providing for the powers, duties, terms, compensation, and removal of members; authorizing the board to promulgate rules; prescribing penalties; appropriating money; proposing new law coded as Minnesota Statutes, chapter 155B; repealing Minnesota Statutes 1982, sections 155A.01 to 155A.18.

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

Thiede introduced:

H. F. No. 54, A bill for an act relating to the state building code; regulating its application to hospitals; amending Minnesota Statutes 1982, section 16.851, subdivision 3.

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

McEachern; Anderson, G.; Berkelman; Onnen and Johnson introduced:

H. F. No. 55, A bill for an act relating to towns; setting the time for posting audit reports; amending Minnesota Statutes 1982, section 366.22.

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

McEachern, Clawson, Gruenes, Onnen and Berkelman introduced:

H. F. No. 56, A bill for an act relating to local government; providing for orderly annexations in accordance with the terms of the resolutions of local government units; amending Minnesota Statutes 1982, section 414.0325, subdivision 1.

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

Clawson; Anderson, G.; Anderson, R.; Onnen and Berkelman introduced:

H. F. No. 57, A bill for an act relating to local government; permitting towns to self insure the bond requirements of certain officers; amending Minnesota Statutes 1982, section 471.981, by adding a subdivision.

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

Wenzel, Eken, Hoberg, Valan and Kostohryz introduced:

H. F. No. 58, A bill for an act relating to public improvements; providing for a nursing care veterans facility at Moorhead under certain conditions; providing for a bond issue; appropriating money.

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

Carlson, D., introduced:

H. F. No. 59, A bill for an act relating to agriculture; providing for payments to certain lenders; appropriating money; proposing new law coded in Minnesota Statutes, chapter 41.

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

Jensen; Mann; Carlson, D., and Anderson, G., introduced:

H. F. No. 60, A bill for an act relating to transportation; authorizing the issuance and sale of trunk highway bonds; providing for the retirement of the bonds; specifying certain priorities in the improvement of certain trunk highway segments from the proceeds of the bonds; increasing the excise tax on gasoline and special fuels; providing for a diesel fuel tax differential; appropriating money; amending Minnesota Statutes 1982, sections 167.50, subdivision 2; 296.01, by adding a subdivision; 296.02, subdivision 1; and 296.025, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 167.

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

Carlson, D., introduced:

H. F. No. 61, A bill for an act relating to natural resources lands; indexing state payments in lieu for inflation; amending Minnesota Statutes 1982, sections 477A.11, subdivision 1; and 477A.12.

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

Carlson, D.; Stadum; Piepho and Jensen introduced:

H. F. No. 62, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

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

Gruenes; Kelly; Rodriguez, C., and Schreiber introduced:

H. F. No. 63, A bill for an act relating to counties; authorizing counties to enact ordinances against trespassing under certain conditions; prescribing penalties; proposing new law coded in Minnesota Statutes, chapter 373.

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

Brandl; Clark, J.; Vanasek; McKasy and Bishop introduced:

H. F. No. 64, A bill for an act relating to crimes; increasing penalties for failure to stop at the scene of certain accidents; amending Minnesota Statutes 1982, section 169.09, subdivisions 1, 3, 6, 7, and 14.

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

Begich, Battaglia and Elioff introduced:

H. F. No. 65, A bill for an act relating to traffic regulations; providing penalties for failing to stop for a school bus; amending Minnesota Statutes 1982, section 169.44, subdivision 1c.

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

Kelly introduced:

H. F. No. 66, A bill for an act relating to taxation; income; delaying the effective date of the requirement that certain securities be in registered form; amending Minnesota Statutes 1982, section 290.09, subdivision 3, as amended; Laws 1982, Third Special Session chapter 1, article VII, section 9.

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

Berkelman; Anderson, G.; Anderson, R.; Onnen and Schreiber introduced:

H. F. No. 67, A bill for an act relating to local improvements; providing the method for action on certain improvements by certain towns; amending Minnesota Statutes 1982, section 429.011, subdivision 2b.

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

Berkelman; Anderson, G.; Gruenes; Johnson and Bergstrom introduced:

H. F. No. 68, A bill for an act relating to local government; setting the dollar amount of contracts subject to the open bidding law; amending Minnesota Statutes 1982, section 471.345, subdivisions 3, 4, and 5.

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

Heinitz and Hoberg introduced:

H. F. No. 69, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

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

Voss, Vanasek, Ellingson, Halberg and Coleman introduced:

H. F. No. 70, A bill for an act relating to financial institutions; trust companies; providing for a method of determining compensation for services as the personal representative of an estate; amending Minnesota Statutes 1982, section 48.80; and proposing new law coded in Minnesota Statutes, chapter 48.

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

Heinitz introduced:

H. F. No. 71, A bill for an act relating to elections; clarifying the right of employees to take time off to vote; amending Minnesota Statutes 1982, section 204C.04.

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

Gruenes, Onnen, Gustafson, Pauly and McDonald introduced:

H. F. No. 72, A bill for an act relating to taxation; income; adopting federal income tax treatment of certain retirement plans; amending Minnesota Statutes 1982, section 290.01, subdivisions 20a, as amended and 20b, as amended.

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

Fjoslien, Brinkman, Graba and Findlay introduced:

H. F. No. 73, A bill for an act relating to agriculture; providing for regulation of apiaries; imposing a penalty; proposing new law coded in Minnesota Statutes, chapter 19; repealing Minnesota Statutes 1982, sections 19.18 to 19.41.

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

Brandl, Seaberg, Schafer, Gustafson and Coleman introduced:

H. F. No. 74, A bill for an act relating to notaries public; increasing the fees they may charge; amending Minnesota Statutes 1982, section 357.17.

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

Battaglia, Munger, Kalis, Knuth and Rose introduced:

H. F. No. 75, A bill for an act relating to game and fish; requiring a pheasant stamp; establishing a fee and providing for the use of revenue; proposing new law coded in Minnesota Statutes, chapter 97.

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

MOTIONS AND RESOLUTIONS

Fjoslien moved that his name be stricken as an author on H. F. No. 20. The motion prevailed.

Gustafson moved that the names of Nelson, K.; Simoneau and Tomlinson be added as authors on H. F. No. 29. The motion prevailed.

Findlay moved that the name of Piepho be added as an author on H. F. No. 43. The motion prevailed.

Onnen moved that the name of Olsen be added as an author on H. F. No. 51. The motion prevailed.

Begich moved that the name of Rodriguez, C., be added as an author on H. F. No. 65. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following committee appointment:

Jerry Schoenfeld, Vice Chair, Committee on Local and Urban Affairs.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 20, 1983. 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, January 20, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

RESOLUTION OF THE HOUSE
 CONCERNING THE
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