

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1983

THIRTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 10, 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 Reverend R. W. Oltmanns, Saron Lutheran Church, Big Lake, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Blatz, Dempsey, Kostohryz, Levi, Murphy and Voss were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Rose 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 Rules of the House, printed copies of H. F. Nos. 57 and 22 and S. F. No. 71 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

February 10, 1983

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Harry A. Sieben, Jr.
Speaker of the House

Sirs:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the 73rd Session of the Minnesota Legislature on Tuesday, February 15, 1983, at 12:00 noon, for the purpose of presenting my budget message to the Legislature.

Sincerely,

RUDY PERPICH
Governor

Eken moved that the House accede to the request of the Governor for a Joint Convention to hear the budget message of the Governor at 12:00 noon, Tuesday, February 15, 1983; 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.

REPORTS OF STANDING COMMITTEES

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1, 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.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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.

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

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 201, A bill for an act relating to taxation; making administrative and technical changes to income tax and property tax refund provisions; imposing a penalty; amending Minnesota Statutes 1982, sections 13.46; subdivision 2; 176.231, subdivision 9; 290.032, subdivision 2; 290.06, subdivisions 1, 2c, 2e, as amended, and 3d; 290.068; subdivision 3; 290.077, subdivisions 1 and 4; 290.081; 290.09, subdivisions 1, 6, and 29; 290.095, subdivisions 3 and 7; 290.12, subdivision 2; 290.17, subdivision 2; 290.21, subdivision 4; 290.26, subdivision 2; 290.-39, subdivision 1; 290.49, subdivision 8; 290.50, subdivisions 1 and 5; 290.53, subdivision 3a and by adding a subdivision; 290.531; 290.92, subdivision 5a; 290A.03, subdivision 13; 290A.-04, subdivision 3; 290A.06; 290A.111, subdivision 2; 290A.112, subdivision 2; 609.50; and Laws 1981, Third Special Session chapter 2, article III, section 22, as amended; and article IV, section 14; and repealing Minnesota Statutes 1982, sections 136A.235; 290.01, subdivision 25; 290.07, subdivision 5a; 290.-071, subdivisions 2, 3, 4, and 6; 290.26, subdivision 2a; 290.34, subdivision 3; 290.48, subdivision 6; 290A.04, subdivisions 2c and 2d.

Reported the same back with the following amendments:

Page 30, line 7, delete "*and the tax court*"

Page 33, delete Sec. 27

Page 37, delete Sec. 31

Pages 38 and 39, delete Sec. 34

Page 40, line 21, delete everything after "(c)"

Page 40, delete line 22

Page 40, line 23, delete "(d)"

Page 40, line 25, delete "28, 32, 33," and insert "30, 31,"

Page 40, line 26, delete "34, and 37, clause (d)" and insert "and 34, clause (c)"

Page 40, line 28, delete "37" and insert "34"

Page 40, line 36, delete "Sections 31 and 37, clause"

Page 41, line 1, delete "(c) are effective July 1, 1983.", delete "29, 30, and 37" and insert "28, 29, and 34"

Page 41, line 4, delete "35 and 36" and insert "32 and 33"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "imposing a penalty;"

Page 1, line 14, delete "290.531;"

Page 1, line 16, delete "290A.06;"

Page 1, line 17, delete "609.50;"

Page 1, line 24, delete "subdivisions" and insert "subdivision", delete "and 2d"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 46 and 201 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Larsen, Rose, Vanasek, Greenfield and Seaberg introduced:

H. F. No. 226, A bill for an act relating to civil actions; authorizing pledges and members of student organizations to maintain actions for self-damages; proposing new law coded in Minnesota Statutes, chapter 127.

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

Ludeman, Welker and Marsh introduced:

H. F. No. 227, A bill for an act relating to regional development; providing advisory referenda on regional development commissions; permitting counties or municipalities to withdraw or join; amending Minnesota Statutes 1982, section 462.387, by adding a subdivision.

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

Solberg; Beard; Anderson, R.; Price and Redalen introduced:

H. F. No. 228, A bill for an act proposing an amendment to the Minnesota Constitution; repealing article XIII, section 5 which prohibits lotteries.

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

Clark, K., and Greenfield introduced:

H. F. No. 229, A bill for an act relating to health; allowing any interested person to seek enforcement of certain patient rights; amending Minnesota Statutes 1982, section 144.651.

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

Clark, K.; Wynia and Norton introduced:

H. F. No. 230, A bill for an act relating to insurance; prohibiting sex and age discrimination under the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1982, section 62E.08, subdivision 2.

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

McEachern, Shea, Kalis, Coleman and Dempsey introduced:

H. F. No. 231, A bill for an act relating to motor vehicles; increasing the time allowed to complete certain activities involving motor vehicle transfers to 21 days; amending Minnesota Statutes 1982, sections 168.092, subdivision 1; 168.101, subdivision 2; 168.15; 168.30; 168.31, subdivision 3; and 168A.30, subdivision 2.

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

Nelson, K.; Segal; Gruenes; Brandl and Hoberg introduced:

H. F. No. 232, A bill for an act relating to education; creating a comprehensive arts in education planning program in the elementary and secondary schools; appropriating money; proposing new law coded in Minnesota Statutes, chapter 129B.

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

Sarna and Rodriguez, F., introduced:

H. F. No. 233, A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees.

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

Wenzel, Peterson and Bergstrom introduced:

H. F. No. 234, A bill for an act relating to education; providing for a laboratory school at St. Cloud State University; establishing an advisory board; appropriating money; proposing new law coded in Minnesota Statutes, chapter 125.

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

Sherman, Johnson and Waltman introduced:

H. F. No. 235, A bill for an act relating to local government; permitting the cities of Winona and Goodview to impose a tax on the gross receipts from furnishing certain lodging.

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

Bishop; Reif; Clark, J.; Brandl and Clawson introduced:

H. F. No. 236, A bill for an act relating to occupations and professions; regulating physicians attending the graduate school of the Mayo foundation; amending Minnesota Statutes 1982, section 147.20.

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

Ogren, Sieben, Clawson, Valan and Rodriguez, F., introduced:

H. F. No. 237, A bill for an act relating to occupations and professions; regulating chiropractic practice; providing rulemaking authority for the board of chiropractic examiners; amending Minnesota Statutes 1982, sections 148.01; 148.06; and 148.08, and by adding a subdivision.

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

Evans, Gutknecht, Jacobs, Heinitz and Blatz introduced:

H. F. No. 238, A bill for an act relating to occupations and professions; regulating real estate brokers and salespersons; abolishing continuing education; repealing Minnesota Statutes 1982, section 82.22, subdivision 13.

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

Brinkman and Sieben introduced:

H. F. No. 239, A bill for an act relating to liquor; extending the date for requiring dram shop insurance; requiring an assigned risk plan and specifying rule making authority of the commissioner of insurance in regard thereto; amending Minnesota Statutes 1982, sections 340.11, subdivision 21; and 340.353, subdivision 8; and Laws 1982, chapter 528, section 9.

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

Clark, J.; Nelson, K., and Heinitz introduced:

H. F. No. 240, A bill for an act relating to taxation; estate tax; abolishing the reporting of certain bank deposits and the inventorying of safe deposit boxes; repealing Minnesota Statutes 1982, sections 55.10, subdivision 2; 291.20; and 385.36.

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

Ogren, Voss, Jacobs and Minne introduced:

H. F. No. 241, A bill for an act relating to public utilities; providing for the regulation of certain cooperative electric associations; amending Minnesota Statutes 1982, section 216B.02, subdivision 4.

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

Clark, K.; Begich; Rice and Nelson, D., introduced:

H. F. No. 242, A bill for an act relating to labor; providing for occupational safety and health; defining "toxic substance"; requiring manufacturers of toxic substances to provide certain information; creating a right to refuse to work under conditions violating the state occupational safety and health act; creating a right to refuse to work with a toxic substance under certain conditions; requiring employers using toxic substances to provide employees with certain training and information; creating a presumption that toxic substances must be labeled under certain circumstances; prohibiting waiver of any employee rights under the state occupational safety and health act; clarifying relation of bargaining agreements to safety laws; providing penalties; providing protection for trade secrets; amending Minnesota Statutes 1982, sections 182.651; by adding a subdivision; 182.653, by adding a subdivision; 182.654, subdivision 7, and by adding a subdivision; 182.655, subdivisions 4, 10, 11, and by adding subdivisions; 182.658; 182.663, subdivision 3; 182.666, by adding a subdivision; and 182.668; proposing new law coded in Minnesota Statutes, chapter 182.

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

Norton; Clark, K.; Anderson, R.; Ogren and Staten introduced:

H. F. No. 243, A bill for an act relating to governmental operations; imposing new duties on the small business finance agency; creating a small business job creation incentive program; providing for disbursement of funds to certain small businesses; appropriating money; amending Minnesota Statutes 1982, section 116J.88, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 116J.

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

Begich, Ludeman, Battaglia, Neuenschwander and Rose introduced:

H. F. No. 244, A bill for an act relating to game and fish; prohibiting harassment of hunters, trappers, and fishers; providing penalties; 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.

Gustafson, Berkelman, Munger and Begich introduced:

H. F. No. 245, A bill for an act relating to the city of Duluth; authorizing group workers' compensation self insurance pools which include the city of Duluth and private employers.

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

Rodriguez, F.; Sieben and Sarna introduced:

H. F. No. 246, A bill for an act relating to retirement; guaranteeing public employees pension benefits; proposing new law coded in Minnesota Statutes, chapter 356.

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

Begich, Battaglia, Elioff, Sarna and Beard introduced:

H. F. No. 247, A bill for an act relating to workers' compensation; requiring insurers to notify employers of settlements; proposing new law coded in Minnesota Statutes, chapter 176.

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

Begich, Battaglia and Elioff introduced:

H. F. No. 248, A bill for an act relating to St. Louis County; providing for the tort liability of the St. Louis County promotional bureau.

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

Begich, Battaglia and Elioff introduced:

H. F. No. 249, A bill for an act relating to taxes; providing an additional income tax deduction for certain waste transportation costs; amending Minnesota Statutes 1982, section 290.09, by adding a subdivision.

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

Norton, Berkelman, Osthoff and Heinitz introduced:

H. F. No. 250, A bill for an act relating to insurance; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1982, section 61A.03; proposing new law coded in Minnesota Statutes, chapter 72A.

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

Rodriguez, F., and Sarna introduced:

H. F. No. 251, A bill for an act relating to retirement; police and salaried firefighters relief associations; modifying the governance of the trust funds after the local relief association ceases to exist; amending Minnesota Statutes 1982, section 423A.01, subdivision 2.

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

Bishop; Reif; Clark, J.; Brandl and Clawson introduced:

H. F. No. 252, A bill for an act relating to occupations and professions; regulating the practice of dentistry; amending Minnesota Statutes 1982, sections 150A.05, subdivision 2; and 150A.11, subdivision 1.

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

Norton, Clawson, Heinitz, Hokr and Riveness introduced:

H. F. No. 253, A bill for an act relating to the operation of state government; clarifying certain provisions regarding the term of the legislative auditor; amending Minnesota Statutes 1982, section 3.97, subdivision 4.

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

Osthoff, Otis and Kostohryz introduced:

H. F. No. 254, A bill for an act relating to elections; changing the date of precinct caucuses to the second Tuesday in March; amending Minnesota Statutes 1982, section 202A.14, subdivision 1.

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

Minne introduced:

H. F. No. 255, A bill for an act relating to taxation; property; allowing the county board to abate taxes in certain instances; proposing new law coded in Minnesota Statutes, chapter 375.

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

Carlson, D., introduced:

H. F. No. 256, A bill for an act relating to state government; providing for the remodeling of the state office building; appropriating money.

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

Anderson, R., and Mann introduced:

H. F. No. 257, A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned by certain members of the Minnesota national guard; imposing fees; appropriating money; amending Minnesota Statutes 1982, section 168.12, by adding a subdivision.

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

Greenfield, Otis, Munger, Voss and Evans introduced:

H. F. No. 258, A bill for an act relating to energy; providing tenant enforcement of certain conservation standards; proposing new law coded in Minnesota Statutes, chapter 116J.

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

Bennett, Simoneau and Carlson, D., introduced:

H. F. No. 259, A bill for an act relating to watercraft safety; requirement for rear view mirrors while towing skiers; prohibiting operating or riding while seated upon seat backs; amending Minnesota Statutes 1982, sections 361.09, subdivision 1; and 361.11.

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

Bennett, Vanasek, McKasy, Norton and Sarna introduced:

H. F. No. 260, A bill for an act relating to conciliation courts; eliminating certain obsolete provisions; amending Minnesota Statutes 1982, section 491.06, subdivision 1.

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

Bennett, Simoneau and Valento introduced:

H. F. No. 261, A bill for an act relating to the environment; providing for the statewide open burning of leaves in the spring and fall as governed by local ordinances; amending Minnesota Statutes 1982, section 116.082.

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

Jacobs, Voss and Sarna introduced:

H. F. No. 262, A bill for an act relating to utilities; regulating delinquency fees or charges on certain unpaid accounts; proposing new law coded in Minnesota Statutes, chapter 222; repealing Minnesota Statutes 1982, section 222.75.

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

Rodriguez, F.; Clark, K.; Rodosovich; Elioff and Piepho introduced:

H. F. No. 263, A bill for an act relating to state government; providing for chiropractic positions in state government civil service; providing for the provision of chiropractic services; proposing new law coded in Minnesota Statutes, chapters 43A and 148.

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

Evans, Scheid, Waltman, Gutknecht and Jacobs introduced:

H. F. No. 264, A bill for an act relating to taxation; extending class 3cc to include certain property owners with disabled dependents; amending Minnesota Statutes 1982, section 273.13, subdivision 7.

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

Evans, Jacobs, Gutknecht and Blatz introduced:

H. F. No. 265, A bill for an act relating to taxation; repealing the mortgage registration tax; amending Minnesota Statutes 1982, section 290.09, subdivision 4; repealing Minnesota Statutes 1982, sections 287.01 to 287.12.

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

Evans; Anderson, R.; Blatz and Jacobs introduced:

H. F. No. 266, A bill for an act relating to taxation; exempting sales of currency or legal tender from the sales and use tax; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

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

Evans, Waltman, Jacobs and Blatz introduced:

H. F. No. 267, A bill for an act relating to taxation; sales; permitting a deduction for costs of collection and remittance; amending Minnesota Statutes 1982, section 297A.26, by adding a subdivision.

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

Norton, Burger, Skoglund and Metzen introduced:

H. F. No. 268, A bill for an act relating to financial institutions; credit unions; removing the restrictions on the amounts that credit unions may invest in the corporate credit union; removing the borrowing restrictions of the corporate credit union; changing references to the central credit union to reflect its name change; amending Minnesota Statutes 1982, sections 52.04, subdivision 1; 52.09, subdivision 2; 52.15, subdivision 1; and 52.17, subdivision 2.

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

Simoneau, Voss, Metzen and Heinitz introduced:

H. F. No. 269, A bill for an act relating to financial institutions; credit unions; expanding the class of persons who may become members; allowing certain small groups to join an existing credit union or form a separate credit union; amending Minnesota Statutes 1982, section 52.05.

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

Schoenfeld, Brinkman, Vanasek and McDonald introduced:

H. F. No. 270, A bill for an act relating to agriculture; providing that certain agricultural operations are not private or public nuisances; amending Minnesota Statutes 1982, section 561.19, subdivisions 2 and 5.

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

Erickson, Brinkman, Fjoslien, Mann and Redalen introduced:

H. F. No. 271, A bill for an act relating to taxation; sales; including certain trailers in the definition of farm machinery; amending Minnesota Statutes 1982, section 297A.01, subdivision 15.

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

Greenfield, Kahn, Kelly and Gustafson introduced:

H. F. No. 272, A bill for an act relating to civil actions; repealing provisions of law which require that a person bringing an action against a public body must obtain a surety bond; repealing Minnesota Statutes 1982, chapter 562.

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

Greenfield and Clark, K., introduced:

H. F. No. 273, A bill for an act relating to taxation; providing that penalties paid for late rent payments will be included in "gross rent" for purposes of the property tax refund; amending Minnesota Statutes 1982, section 290A.03, subdivision 12.

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

Eken introduced:

H. F. No. 274, A bill for an act relating to the legislature; providing for the majority leader of the senate rather than the president of the senate to serve as chairman of the legislative coordinating commission; changing the term of the chairman of the commission from one year to two years; amending Minnesota Statutes 1982, section 3.303, subdivision 3.

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

Ogren, Solberg, Battaglia and Carlson, D., introduced:

H. F. No. 275, A bill for an act relating to transportation; limiting liability for civil penalties of carriers or shippers of certain products; amending Minnesota Statutes 1982, section 169.871, subdivision 1.

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

Elioff, Minne, Battaglia and Begich introduced:

H. F. No. 276, A bill for an act relating to liquor; authorizing town boards to issue off-sale licenses; amending Minnesota Statutes 1982, section 340.11, subdivision 10b.

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

Elioff, Minne and Battaglia introduced:

H. F. No. 277, A bill for an act relating to the city of Virginia; authorizing increases in service pensions and survivor benefits for certain retired members and survivors of the Virginia firefighter's relief association.

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

Hoberg, Elioff, Rose and Begich introduced:

H. F. No. 278, A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.

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

Piepho, Blatz, Frerichs, Haukoos and Quist introduced:

H. F. No. 279, A bill for an act relating to unemployment compensation; regulating benefit eligibility; providing for the amount of benefits; altering contribution rates; providing for additional benefits; amending Minnesota Statutes 1982, sections 268.06, subdivision 8; 268.07, subdivision 2, and by adding a subdivision; 268.08, subdivisions 1 and 3; and 268.09, subdivisions 1 and 2.

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

Erickson; Anderson, B.; Shea; Sviggum and Fjoslien introduced:

H. F. No. 280, A bill for an act relating to education; requiring that interest be paid on certain aid payments delayed by the commissioner of education; appropriating money; amending Laws 1982, Third Special Session chapter 1, article III, section 8.

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

Piepho, Jennings, Wigley, Quist and Dempsey introduced:

H. F. No. 281, A bill for an act relating to regional development commissions; establishing procedures for counties and municipalities to withdraw or join; amending Minnesota Statutes 1982, section 462.387, by adding a subdivision.

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

Onnen and Kvam introduced:

H. F. No. 282, A bill for an act relating to Independent School District No. 466; permitting the sale of certain land subject to agreed conditions.

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

Ludeman introduced:

H. F. No. 283, A bill for an act relating to state property; providing for the conveyance of certain property to the city of Tracy.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Simoneau introduced:

H. A. No. 2, A proposal to add "insect" as a state symbol.

The advisory was referred to the Committee on General Legislation and Veterans Affairs.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 25.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 25, A bill for an act relating to crimes; prohibiting adulterating substances 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.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole with Sieben in the Chair for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 57 which it recommended to pass.

H. F. No. 22 which it recommended to pass with the following amendments:

Offered by Osthoff:

Page 18, line 11, after "apportionment" delete the comma and insert:

“; except that all commission members shall continue to serve at large until the metropolitan council appointed pursuant to section 3 appoints commission members as provided under sec-

tion 5, subdivision 2 to serve terms as provided under this section”

Page 18, line 11, delete “all members shall continue to serve at large”

Page 18, line 12, delete “until their successors are appointed and qualified”

Page 20, line 18, after “apportionment” insert:

“; except that all commission members shall continue to serve at large until the metropolitan council appointed pursuant to section 3 appoints commission members as provided under section 473.303, subdivision 2 to serve terms as provided under this section.”

Page 20, line 18, delete “all members shall”

Page 20, delete lines 19 and 20

Page 21, line 11, after “council” insert “appointed pursuant to section 3”

Offered by Schreiber; Brandl; Rodriguez, C.; Vanasek; Skoglund; Long; Valento; Clark, J.; Knickerbocker; Pauly; Hokr; Scheid and McDonald:

Page 2, line 15, after the period insert:

“In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms shall be published in newspapers of general circulation in the metropolitan area and the appropriate districts. Following the submission of applications to the appointing authority pursuant to section 15.0597, subdivision 5, the governor, or legislators designated by the governor from each district, shall conduct one or more public hearings on the matter of the appointment in each district to accept statements from persons who have applied for appointment and to allow consultation with and secure the advice of the public and legislators from the district.”

Page 16, line 33, after the period insert:

“In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms shall be published in newspapers of general circulation in the metropolitan area and the appropriate districts. Following the submission of applications to the appointing authority pursuant to section 15.0597, subdivision 5, the council shall conduct one or more public hearings on the matter of the appointment in each district to accept statements from persons who have applied for appointment and to allow consultation with and secure the advice of the public.”

On the motion of Eken the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

McKasy and Seaberg moved to amend H. F. No. 22, the second engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [APPORTIONMENT ADVISORY COUNCIL.]

The governor shall appoint a council of eight commissioners, one from each of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and a chairman, to propose to the legislature an apportionment of the metropolitan council districts and the several metropolitan commission districts. Four of the commissioners shall be affiliated with one major political party and four with the other. The commissioners shall apportion the districts giving regard to all appropriate criteria and in particular

- (a) *population equality,*
- (b) *county and municipal boundaries, and*
- (c) *communities of interest in various locations.*

The commissioners shall disregard the residences of incumbent council and commission members in their apportionment. The commissioners may conduct public hearings if they think it appropriate. The council shall report its recommendation to the legislature no later than 30 days after the effective day of this act. The council shall expire June 30, 1983. Except as provided in this act the council shall be governed by Minnesota Statutes, section 15.059.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day after final enactment in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.”

Delete the title and insert:

“A bill for an act relating to metropolitan government; providing for an advisory apportionment of the metropolitan council and commission districts.”

The question was taken on the amendment and the roll was called. There were 46 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Ferichs	Jennings	Piepho	Thiede
Bennett	Gruenes	Johnson	Quist	Uphus
Bishop	Gutknecht	Kvam	Redalen	Valento
Burger	Halberg	Ludeman	Reif	Waltman
Carlson, D.	Haukoos	Marsh	Rodriguez, C.	Welker
DenOuden	Heap	McDonald	Rose	Wigley
Erickson	Heinitz	McKasy	Schafer	
Evans	Himle	Olsen	Seaberg	
Fjoslien	Hoberg	Omamn	Shaver	
Forsythe	Hokr	Pauly	Sviggum	

Those who voted in the negative were:

Anderson, B.	Eken	Mann	Price	Solberg
Anderson, C.	Elioff	McEachern	Quinn	Sparby
Battaglia	Ellingson	Metzen	Rice	Staten
Beard	Findlay	Minne	Riveness	Swanson
Begich	Graba	Münnger	Rodosovich	Tomlinson
Bergstrom	Greenfield	Nelson, D.	Rodriguez, F.	Tunheim
Berkelman	Gustafson	Nelson, K.	St. Onge	Vanasek
Brandl	Hoffman	Neuenschwander	Sarna	Vellenga
Brinkman	Jacobs	Norton	Scheid	Welch
Carlson, L.	Jensen	O'Connor	Schoenfeld	Welle
Clark, J.	Kahn	Ogren	Schreiber	Wenzel
Clark, K.	Kalis	Onnen	Segal	Wynia
Clawson	Kelly	Osthoff	Shea	Zaffke
Cohen	Knuth	Otis	Sherman	Speaker Sieben
Coleman	Krueger	Peterson	Simoneau	
Dimler	Larsen	Piper	Skoglund	

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

McDonald moved to amend H. F. No. 22, the second engrossment, as amended, as follows:

Page 2, line 21, after the period insert "*If there is not a regular member of the council residing in a metropolitan county, the county board may appoint one nonvoting additional member who shall serve until a successor is appointed by the county board or a regular member begins to reside in the county.*"

Page 17, after line 16, insert:

"If there is not a regular member of a commission residing in a metropolitan county, the county board may appoint one nonvoting additional member who shall serve until a successor is appointed by the county board or a regular member begins to reside in the county."

The question was taken on the amendment and the roll was called. There were 39 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Bishop	Gruenes	Ludeman	Reif	Thiede
Burger	Gutknecht	Marsh	Rose	Uphus
Dimler	Haukoos	McDonald	Schafer	Valan
Erickson	Heinitz	McKasy	Seaberg	Valento
Evans	Hoberg	Omann	Shaver	Waltman
Findlay	Hokr	Piepho	Sherman	Welker
Fjoslien	Johnson	Quist	Stadum	Wigley
Frerichs	Kvam	Redalen	Swiggum	

Those who voted in the negative were:

Anderson, G.	Eken	Mann	Quinn	Staten
Anderson, R.	Elioff	McEachern	Rice	Swanson
Battaglia	Ellingson	Metzen	Riverness	Tomlinson
Beard	Graba	Minne	Rodosovich	Tunheim
Begich	Greenfield	Munger	Rodriguez, C.	Vanasek
Bergstrom	Gustafson	Nelson, D.	Rodriguez, F.	Vellenga
Berkelman	Hoffman	Nelson, K.	St. Onge	Welch
Brandl	Jacobs	Neuenschwander	Sarna	Welle
Carlson, D.	Jensen	Norton	Scheid	Wenzel
Carlson, L.	Kahn	O'Connor	Schoenfeld	Wynia
Clark, J.	Kalis	Ogren	Segal	Zaffke
Clark, K.	Kelly	Osthoff	Shea	Speaker Sieben
Clawson	Knuth	Otis	Simoneau	
Cohen	Krueger	Peterson	Skoglund	
Coleman	Larsen	Piper	Solberg	
DenOuden	Long	Price	Sparby	

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

Schreiber; Brandl; Rodriguez, C.; Vanasek; Skoglund; Long; Valento; Clark, J.; Knickerbocker; Pauly; Hokr; Scheid and McDonald moved to amend H. F. No. 22, the second engrossment, as amended, as follows:

Page 2, line 15, after the period insert:

"In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms shall be published in newspapers of general circulation in the metropolitan area and the appropriate districts. Following the submission of applications to the appointing authority pursuant to section 15.0597, subdivision 5, the governor, or legislators designated by the governor from each district, shall conduct one or more public hearings on the matter of the appointment in each district to accept statements from persons who have applied for appointment and to allow consultation with and secure the advice of the public and legislators from the district."

Page 16, line 33, after the period insert *"In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms shall be published in newspapers of general circulation in the metropolitan area and the appropriate districts. Following the submission of applications to the*

appointing authority pursuant to section 15.0597, subdivision 5, the council shall conduct one or more public hearings on the matter of the appointment in each district to accept statements from persons who have applied for appointment and to allow consultation with and secure the advice of the public."

The question was taken on the amendment and the roll was called. There were 98 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fjoslien	Kvam	Quist	Svigum
Anderson, G.	Forsythe	Larsen	Redalen	Swanson
Anderson, R.	Frerichs	Long	Reif	Thiede
Bennett	Greenfield	Ludeman	Riveness	Tomlinson
Berkelman	Gruenes	Mann	Rodosovich	Tunheim
Bishop	Gutknecht	Marsh	Rodriguez, C.	Uphus
Brandt	Halberg	McKasy	Rose	Valan
Brinkman	Haukoos	Munger	Schafer	Valento
Burger	Heap	Nelson, D.	Scheid	Vanasek
Carlson, D.	Heinitz	Nelson, K.	Schoenfeld	Vellenga
Carlson, L.	Himle	Norton	Schreiber	Waltman
Clark, J.	Hoberg	Olsen	Seaberg	Welch
Clark, K.	Hoffman	Omann	Segal	Welker
Cohen	Hokr	Onnen	Shaver	Welle
DenOuden	Jennings	Otis	Shea	Wenzel
Dimler	Johnson	Pauly	Sherman	Wigley
Ellingson	Kelly	Peterson	Skoglund	Wynia
Erickson	Knickerbocker	Piepho	Sparby	Zaffke
Evans	Knuth	Price	Stadum	
Findlay	Krueger	Quinn	Staten	

Those who voted in the negative were:

Battaglia	Eken	Kahn	O'Connor	St. Onge
Beard	Elioff	Kalis	Ogren	Sarna
Begich	Graba	McEachern	Osthoff	Simoneau
Bergstrom	Gustafson	Metzen	Piper	Solberg
Clawson	Jacobs	Minne	Rice	Speaker Sieben
Coleman	Jensen	Neuenschwander	Rodriguez, F.	

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Redalen moved that the name of Schoenfeld be added as an author on H. F. No. 119. The motion prevailed.

Greenfield moved that the name of Onnen be added as an author on H. F. No. 148. The motion prevailed.

Brinkman moved that the name of Berkelman be added as an author on H. F. No. 239. The motion prevailed.

Brinkman moved that the name of Rodriguez, C., be added as an author on H. F. No. 120. The motion prevailed.

Ludeman moved that the names of Kvam and Wigley be added as authors on H. F. No. 227. The motion prevailed.

Ogren moved that the name of Neuenschwander be added as an author on H. F. No. 275. The motion prevailed.

Erickson moved that the name of Uphus be added as an author on H. F. No. 171. The motion prevailed.

Erickson moved that the name of Uphus be added as an author on H. F. No. 172. The motion prevailed.

Clark, J., moved that the names of Long and Solberg be added as authors on H. F. No. 240. The motion prevailed.

Anderson, R., moved that the name of Sieben be added as an author on H. F. No. 257. The motion prevailed.

Evans moved that the name of Piepho be added as an author on H. F. No. 266. The motion prevailed.

Quist moved that H. F. No. 105 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the Joint Convention being held in the House Chamber Tuesday, February 15, 1983, at 12:00 noon:

Munger, Piper, McKasy, Sparby and Piepho.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 14, 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., Monday, February 14, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

