

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 12, 1987

The House of Representatives convened at 2:00 p.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by the Reverend Delton Krueger, House Chaplain.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that Representative Tom Osthoff, District 66A, was administered the oath of office on Friday, January 9, 1987. His certificate of election and a signed and sworn statement of the oath of office are on file.

The roll was called and the following members were present:

Anderson, G.	Gruenes	Lieder	Otis	Simoneau
Anderson, R.	Gutknecht	Long	Ozment	Skoglund
Battaglia	Hartle	Marsh	Pappas	Solberg
Bauerly	Haukoos	McDonald	Pelowski	Sparby
Beard	Heap	McEachern	Peterson	Stanius
Begich	Himle	McKasy	Poppenhagen	Steenasma
Bennett	Hugoson	McLaughlin	Price	Sviggum
Bertram	Jacobs	McPherson	Quinn	Swenson
Bishop	Jaros	Milbert	Quist	Thiede
Blatz	Jefferson	Miller	Redalen	Tjornhom
Brown	Jennings	Minne	Reding	Tompkins
Burger	Jensen	Morrison	Rest	Trimble
Carlson, D.	Johnson, A.	Munger	Rice	Tunheim
Carlson, L.	Johnson, R.	Murphy	Richter	Uphus
Carruthers	Johnson, V.	Nelson, C.	Riveness	Valento
Clausnitzer	Kahn	Nelson, D.	Rodosovich	Vellenga
Cooper	Kalis	Nelson, K.	Rose	Voss
Dauner	Kelly	O'Connor	Rukavina	Wagenius
DeBlick	Kelso	Ogren	Sarna	Waltman
Dempsey	Kinkel	Olsen, S.	Schafer	Welle
Dille	Knickerbocker	Olson, E.	Scheid	Wenzel
Dorn	Knuth	Olson, K.	Schoenfeld	Winter
Forsythe	Kostohryz	Omann	Schreiber	Wynia
Frederick	Krueger	Onnen	Seaberg	Spk. Norton
Frerichs	Larsen	Orenstein	Segal	
Greenfield	Lasley	Osthoff	Shaver	

A quorum was present.

Boo, Clark, Kludt, Neuenschwander, Pauly and Vanasek were excused.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olson, K.; Schoenfeld; Cooper; Nelson, C., and Johnson, V., introduced:

H. F. No. 1, A bill for an act relating to agriculture; extending and financing the mediation and interest rate buy-down programs; appropriating money; amending Laws 1986, chapter 398, article 23, section 1, subdivisions 5 and 6.

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

Schoenfeld, Vanasek, Otis and Kinkel introduced:

H. F. No. 2, A bill for an act relating to economic development; rural development; renaming and providing powers to the agricultural resource loan guaranty board; establishing a mineral resources program; establishing a community development division in the department of energy and economic development; transferring the independent wastewater treatment grant program from the pollution control agency to the department of energy and economic development; establishing the rural development board; establishing the challenge grant program; establishing the customized training program; establishing the greater Minnesota corporation; establishing the state supplemental education grant program; establishing the Minnesota public finance authority; appropriating money; amending Minnesota Statutes 1986, sections 41A.01; 41A.02, subdivisions 3, 4, 6, and 11; 41A.05, subdivisions 1 and 2; 116.16, subdivisions 2 and 5; and 462.384, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 41A; 84; 116J; and 136A; proposing coding for new law as Minnesota Statutes, chapters 116N; 116P; and 446A; repealing Minnesota Statutes 1986,

sections 41A.06, subdivision 2; 116.18, subdivision 3a; 116J.951; 116J.955; and 116J.961.

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

Kelly, Norton, Vanasek and Begich introduced:

H. F. No. 3, A bill for an act relating to labor; changing the minimum wage; amending Minnesota Statutes 1986, section 177.24, subdivision 1.

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

Osthoff, Scheid, Norton and Larsen introduced:

H. F. No. 4, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; allowing the legislature to authorize certain lotteries.

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

DeBlicke, Vanasek, Steensma, Kalis and Pappas introduced:

H. F. No. 5, A bill for an act relating to taxation; individual income; expanding the exclusion for pension income; amending Minnesota Statutes 1986, section 290.08, subdivision 26.

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

Milbert; Ogren; Johnson, R.; Kinkel and Rukavina introduced:

H. F. No. 6, A bill for an act relating to taxation; individual income; expanding the exclusion for pension income; amending Minnesota Statutes 1986, section 290.08, subdivision 26.

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

O'Connor introduced:

H. F. No. 7, A bill for an act relating to taxation; property; providing for delayed assessment of valuation increases due to the

rehabilitation of buildings; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Wenzel introduced:

H. F. No. 8, A bill for an act relating to crimes; imposing a mandatory minimum sentence on persons who commit criminal vehicular operation resulting in death; amending Minnesota Statutes 1986, section 609.21, subdivisions 1 and 3.

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

O'Connor, Riveness and Vanasek introduced:

H. F. No. 9, A bill for an act relating to taxation; individual income; eliminating restrictions on the pension income exclusion; modifying the income offset; amending Minnesota Statutes 1986, section 290.08, subdivision 26.

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

Wenzel introduced:

H. F. No. 10, A bill for an act relating to crimes; providing for life imprisonment without parole for persons convicted of premeditated murder in the first degree; eliminating juvenile court jurisdiction over minors 14 years old and older accused of murder or manslaughter; expanding the crime of murder in the second degree to cover the unintentional killing of certain young children; increasing penalties and imposing mandatory minimum sentences for certain homicides and other crimes; clarifying the elements of manslaughter in the first degree; prohibiting waiver of certain mandatory minimum sentencing provisions; amending Minnesota Statutes 1986, sections 244.05, subdivision 4; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 609.19; 609.195; 609.20; 609.221; 609.223; 609.224; 609.255, subdivision 3; 609.342, subdivision 2; 609.343, subdivision 2; 609.344, subdivision 2; 609.345, subdivision 2; and 609.377; and repealing Minnesota Statutes 1986, section 609.11, subdivision 8.

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

Begich and Battaglia introduced:

H. F. No. 11, A bill for an act relating to tax forfeited land; providing for the sale of a certain tract.

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

Rukavina and Begich introduced:

H. F. No. 12, A bill for an act relating to retirement; increasing retirement and survivor benefits for certain retired members of the Virginia firefighters' relief association and surviving spouses of deceased members.

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

Rukavina and Begich introduced:

H. F. No. 13, A bill for an act relating to alcoholic beverages; authorizing St. Louis county to issue one off-sale license.

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

Begich, Battaglia, Minne, Solberg and Rukavina introduced:

H. F. No. 14, A bill for an act relating to unemployment compensation; regulating the receipt of benefits; providing that wages for volunteer firefighter services not be deducted for benefit calculation purposes; amending Minnesota Statutes 1986, section 268.07, subdivision 2.

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

Sviggum introduced:

H. F. No. 15, A bill for an act relating to the city of Red Wing; directing the department of energy and economic development to refund a certain bond deposit; appropriating money.

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

Redalen introduced:

H. F. No. 16, A bill for an act relating to traffic regulations; specifying colors of slow moving vehicle emblems; amending Minnesota Statutes 1986, section 169.522, subdivision 1.

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

McEachern introduced:

H. F. No. 17, A bill for an act relating to education; making a technical correction to the compulsory attendance law; amending Minnesota Statutes 1986, section 120.10, subdivision 1.

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

Ogren introduced:

H. F. No. 18, A bill for an act relating to human services; allowing recovery of medical assistance payments upon death of recipient; amending Minnesota Statutes 1986, section 256B.15.

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

Ogren introduced:

H. F. No. 19, A bill for an act relating to probate; including certain agencies as successors who may collect personal property by affidavit; amending Minnesota Statutes 1986, section 524.3-1201.

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

Ogren; Sarna; Milbert; Johnson, R., and DeBlieck introduced:

H. F. No. 20, A bill for an act relating to commerce; modifying the maximum finance on certain open end credit sales; amending Minnesota Statutes 1986, section 334.16, subdivision 1.

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

Carlson, D., introduced:

H. F. No. 21, A bill for an act relating to state employees; permitting direct deposit of pay in financial institutions; amending Minnesota Statutes 1986, section 16A.133, subdivision 1; repealing Minnesota Statutes 1986, section 16A.133, subdivision 3.

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

Forsythe, Pauly, Simoneau and Long introduced:

H. F. No. 22, A bill for an act relating to retirement; authorizing certain members of the public employees retirement association to elect a benefit conversion.

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

Kahn, Greenfield, Orenstein, Stanius and Jaros introduced:

H. F. No. 23, A bill for an act relating to health; requiring a hospital administrator to request an organ or tissue donation for purposes of the uniform anatomical gift act; proposing coding for new law in Minnesota Statutes, chapter 525.

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

Simoneau; Johnson, A., and Sviggum introduced:

H. F. No. 24, A bill for an act relating to drivers' licenses; requiring certain notice on uniform traffic ticket; providing penalty for failure to respond to summons and complaint on uniform traffic ticket; prohibiting issuance of warrants on persons failing to pay fines for parking violations; establishing system for collecting unpaid fines; providing for and allocating driver's license reinstatement fees; amending Minnesota Statutes 1986, sections 169.99, by adding a subdivision; 171.16, subdivision 3, and by adding subdivisions; 171.20, subdivision 1; and 171.29.

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

Simoneau; Johnson, A.; Pappas and Morrison introduced:

H. F. No. 25, A bill for an act relating to traffic regulations; requiring motor vehicle operators to use child passenger restraint system when transporting child under age of four; imposing penalty; amending Minnesota Statutes 1986, section 169.685, subdivision 5.

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

Simoneau, Pappas, Rice and Anderson, G., introduced:

H. F. No. 26, A bill for an act relating to workers' compensation; providing for the organization and powers of the state compensation insurance fund; appropriating money; amending Minnesota Statutes 1986, sections 11A.24, subdivision 6; 176A.02, subdivision 1; 176A.04; and 176A.11.

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

Simoneau and Olsen, S., introduced:

H. F. No. 27, A bill for an act relating to corporations; regulating control share acquisitions; delaying the effective date of certain amendments; amending Laws 1985, First Special Session chapter 5, section 21, as amended.

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

Skoglund, Carruthers, Voss, Clausnitzer and Quinn introduced:

H. F. No. 28, A bill for an act relating to financial institutions; extending the EFT law to terminals located on the premises of a financial institution; amending Minnesota Statutes 1986, section 47.61, subdivision 3.

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

Skoglund introduced:

H. F. No. 29, A bill for an act relating to traffic regulations; requiring motor vehicle operators to use child passenger restraint system when transporting child under age of four; assessing court

costs to violator under certain conditions; imposing penalty; amending Minnesota Statutes 1986, section 169.685, subdivision 5.

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

Skoglund, Carruthers, Quinn, Brown and Milbert introduced:

H. F. No. 30, A bill for an act relating to consumer protection; requiring certain disclosures regarding the quality of replacement parts used in certain repairs and appraisals; amending Minnesota Statutes 1986, sections 72B.091, subdivision 2; 325F.56, subdivision 8; and 325F.60, subdivision 1.

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

Skoglund, Begich, Dauner, Norton and Brown introduced:

H. F. No. 31, A bill for an act relating to labor; prohibiting the charging of a fee in connection with a job application; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Skoglund introduced:

H. F. No. 32, A bill for an act relating to consumer protection; prohibiting vending machine sales of tobacco and tobacco products; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 1986, section 325E.07.

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

Skoglund introduced:

H. F. No. 33, A bill for an act relating to elections; changing the time for holding precinct caucuses; amending Minnesota Statutes 1986, section 202A.14, subdivision 1.

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

Carruthers, Vanasek, Kelly, Sarna and McKasy introduced:

H. F. No. 34, A bill for an act relating to corporations; providing for modification of liability of directors; amending Minnesota Statutes 1986, sections 302A.111, subdivision 4; and 302A.251, by adding a subdivision.

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

Thiede, Schafer, Poppenhagen, Richter and Hugoson introduced:

H. F. No. 35, A resolution memorializing Congress of ratification of a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

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

Olsen, S.; Tompkins; Morrison; Bennett and Stanius introduced:

H. F. No. 36, A bill for an act relating to motor vehicles; establishing fees for personalized license plates; allowing credit for certain fees paid; amending Minnesota Statutes 1986, section 168.12, subdivision 2a.

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

Redalen introduced:

H. F. No. 37, A bill for an act relating to natural resources; requiring refunds on agricultural leases; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Olsen, S.; Tjornhom; Omann; Tompkins and Valento introduced:

H. F. No. 38, A bill for an act relating to taxation; individual income; eliminating restrictions on the pension income exclusion;

modifying the income offset; amending Minnesota Statutes 1986, section 290.08, subdivision 26.

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

Shaver, Schreiber, Richter, Omann and Dille introduced:

H. F. No. 39, A bill for an act relating to state government; rejecting salary adjustments for legislators and constitutional officers recommended by the compensation council.

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

McPherson, Clausnitzer, Frederick, Burger and Waltman introduced:

H. F. No. 40, A bill for an act relating to state government; rejecting salary adjustments for legislators and constitutional officers recommended by the compensation council.

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

Milbert, Kelly, Orenstein and Swenson introduced:

H. F. No. 41, A bill for an act relating to data privacy; providing for the classification of data in certain adoption reports; amending Minnesota Statutes 1986, section 259.27, by adding a subdivision.

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

MOTIONS AND RESOLUTIONS

Schoenfeld moved that the name of Carlson, D., be added as an author on H. F. No. 2. The motion prevailed.

McLaughlin, Vanasek, Norton, Jefferson and Schreiber introduced:

House Resolution No. 1, A House resolution requiring the establishment of an affirmative action plan and designating an affirmative action officer.

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

Lasley introduced:

House Resolution No. 2, A House resolution congratulating the Isanti County 4-H Dairy Bowl Team for placing third in the North American Invitational Dairy Bowl.

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

Schreiber, Frerichs, Knickerbocker, Sviggum and Carlson, D., introduced:

House Resolution No. 3, A House resolution relating to the cost of administering the House of Representatives for the last two years; directing the refund of \$1,000,000 to the general fund of the state.

Schreiber moved that the rules be so far suspended that House Resolution No. 3 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Schreiber motion and the roll was called. There were 49 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	Knuth	Ozment	Stanius
Bennett	Gruenes	Marsh	Poppenhagen	Sviggum
Bishop	Gutknecht	McDonald	Price	Swenson
Blatz	Hartle	McKasy	Quist	Thiede
Burger	Haukoos	McPherson	Redalen	Tjornhom
Carlson, D.	Heap	Miller	Richter	Tompkins
Clausnitzer	Himle	Morrison	Rose	Uphus
Dempsey	Hugoson	Olsen, S.	Schafer	Valento
Forsythe	Johnson, V.	Omann	Schreiber	Waltman
Frederick	Knickerbocker	Onnen	Seaberg	

Those who voted in the negative were:

Anderson, G.	DeBlieck	Kahn	McEachern	Olson, E.
Battaglia	Dille	Kalis	McLaughlin	Olson, K.
Bauerly	Dorn	Kelly	Milbert	Orenstein
Beard	Greenfield	Kelso	Minne	Osthoff
Begich	Jacobs	Kinkel	Munger	Otis
Bertram	Jaros	Kostohryz	Murphy	Pappas
Brown	Jefferson	Krueger	Nelson, C.	Pelowski
Carlson, L.	Jennings	Larsen	Nelson, D.	Peterson
Carruthers	Jensen	Lasley	Nelson, K.	Quinn
Cooper	Johnson, A.	Lieder	O'Connor	Reding
Dauner	Johnson, R.	Long	Ogren	Rest

Rice	Schoenfeld	Sparby	Voss	Wynia
Rodosovich	Segal	Steensma	Wagenius	Spk. Norton
Rukavina	Simoneau	Trimble	Welle	
Sarna	Skoglund	Tunheim	Wenzel	
Scheid	Solberg	Vellenga	Winter	

The motion did not prevail.

House Resolution No. 3 was referred to the Committee on Rules and Legislative Administration.

Clark, Kahn, Pappas and Orenstein introduced:

House Concurrent Resolution No. 1, A House concurrent resolution protesting the use of the Minnesota National Guard in Central America; encouraging efforts to legally contest the mandatory deployment by the federal government of the Minnesota National Guard in foreign countries without state assent.

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

Otis introduced:

House Concurrent Resolution No. 2, A House concurrent resolution relating to adjournment of the House of Representatives and Senate for more than three days.

SUSPENSION OF RULES

Otis moved that the rules be so far suspended that House Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 2

A House concurrent resolution relating to adjournment of the House of Representatives and Senate for more than three days.

Be It Resolved by the House of Representatives, the Senate concurring:

(1) Upon their adjournments on January 15, 1987, the House of Representatives and Senate may each set their next days of meeting for January 20, 1987.

(2) By the adoption of this resolution, each house consents to adjournment of the other body for more than three days.

Otis moved that House Concurrent Resolution No. 2 be now adopted. The motion prevailed and House Concurrent Resolution No. 2 was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Agriculture, Agriculture Finance Division: Add the names of Sparby and Hugoson.

Economic Development and Housing: Remove the name of Jaros.

General Legislation, Veterans Affairs and Gaming: Remove the name of Vellenga and add the name of Quinn.

Judiciary: Remove the name of Quinn.

Labor-Management Relations, Unemployment Compensation and Workers' Compensation Division: Add the name of Rice.

Metropolitan Affairs: Add the names of McLaughlin, Skoglund and Swenson.

ADJOURNMENT

Otis moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, January 15, 1987. The motion prevailed.

Otis moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, January 15, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives