

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 20, 1987

The House of Representatives convened at 3:00 p.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by the Reverend Paul Jannakos, St. Mary's Eastern Orthodox Cathedral, Minneapolis, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

McEachern, Sarna and Vellenga were excused.

Gutknecht was excused until 3:35 p.m. Schreiber was excused until 3:55 p.m.

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

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

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

Reported the same back with the following amendments:

Page 1, line 9, delete "in Vietnam"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 2, line 16, after "America" insert ", except in cases of natural disaster or in cases of the transportation of humanitarian medical supplies"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Vanasek, Cooper, Krueger, Norton and Steensma introduced:

H. F. No. 68, A bill for an act relating to state government; rejecting salary adjustments for legislators recommended by the

compensation council.

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, Shaver moved that the rule therein be suspended and an urgency be declared so that H. F. No. 68 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Shaver motion and the roll was called. There were 53 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	McDonald	Ozment	Stanius
Bennett	Frerichs	McKasy	Pauly	Sviggum
Blatz	Gruenes	McPherson	Pelowski	Swenson
Boo	Hartle	Milbert	Poppenhagen	Thiede
Burger	Haukoos	Miller	Quist	Tjornhom
Carlson, D.	Heap	Morrison	Redalen	Tompkins
Carlson, L.	Himle	Olsen, S.	Richter	Uphus
Clausnitzer	Hugoson	Omann	Rose	Valento
Dempsey	Johnson, V.	Onnen	Scheid	Waltman
Dille	Knickerbocker	Orenstein	Seaberg	
Forsythe	Marsh	Osthoff	Shaver	

Those who voted in the negative were:

Anderson, G.	Jaros	Krueger	Ogren	Segal
Battaglia	Jefferson	Larsen	Olson, E.	Simoneau
Bauerly	Jennings	Lasley	Otis	Skoglund
Beard	Jensen	Lieder	Pappas	Solberg
Begich	Johnson, A.	Long	Peterson	Sparby
Bertram	Johnson, R.	McLaughlin	Price	Steensma
Brown	Kahn	Minne	Quinn	Trimble
Carruthers	Kalis	Munger	Reding	Vanasek
Cooper	Kelly	Murphy	Rest	Voss
Dauner	Kelso	Nelson, C.	Rice	Wagenius
DeBlicke	Kinkel	Nelson, D.	Riveness	Welle
Dorn	Kludt	Nelson, K.	Rodosovich	Wenzel
Greenfield	Knuth	Neuenschwander	Rukavina	Winter
Jacobs	Kostohryz	O'Connor	Schafer	Wynia
				Spk. Norton

The motion did not prevail.

H. F. No. 68 was referred to the Committee on Governmental Operations.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS, Continued**

Welle, Ogren, Greenfield and Stanius introduced:

H. F. No. 69, A bill for an act relating to health; providing for licensure and operation of hospice programs; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Minne and Solberg introduced:

H. F. No. 70, A bill for an act relating to utilities; limiting compensation awarded to utility under certain conditions when municipal electric utility extends its boundaries; amending Minnesota Statutes 1986, section 216B.44.

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

Tunheim, Long and Vellenga introduced:

H. F. No. 71, A bill for an act relating to insurance; health and accident; requiring coverage for scalp hair prostheses in certain circumstances; amending Minnesota Statutes 1986, section 62E.06, subdivision 1; and proposing coding for new law in Minnesota Statutes, chapter 62A.

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

O'Connor and McEachern introduced:

H. F. No. 72, A bill for an act relating to retirement; appropriating funds to reimburse certain pension funds for the amount of reduced employer contributions during the economic emergency of 1983.

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

Welle introduced:

H. F. No. 73, A bill for an act relating to the city of Willmar; providing an exception from the Willmar police civil service system for the chief of police.

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

Redalen, Rose, Dorn, Munger and Battaglia introduced:

H. F. No. 74, A bill for an act relating to game and fish; authorizing deer bow and arrow licenses for nonresident students at resident fees; amending Minnesota Statutes 1986, section 97A.455.

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

McDonald and Gutknecht introduced:

H. F. No. 75, A resolution memorializing Congress to call a constitutional convention to propose an amendment to the United States Constitution to require a balanced federal budget.

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

Riveness; Kelso; Knuth; Nelson, K., and Ozment introduced:

H. F. No. 76, A bill for an act relating to education; requiring school districts to provide special instruction and services for children with attention deficit disabilities; amending Minnesota Statutes 1986, section 120.03, subdivision 1.

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

Olsen, S.; Ozment; Swenson; McPherson and Hartle introduced:

H. F. No. 77, A bill for an act relating to education; changing the foundation aid formula allowance for the 1987-1988 school year and setting it for the 1988-1989 school year; amending Minnesota Statutes 1986, section 124A.02, subdivision 9.

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

Nelson, K.; Wagenius and Olsen, S., introduced:

H. F. No. 78, A bill for an act relating to education; raising the age for compulsory school attendance to 17; making conforming changes; amending Minnesota Statutes 1986, sections 120.10, subdivisions 1 and 3; 123.35, subdivision 8; 124.26, subdivision 1; and 260.015, subdivision 19.

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

Uphus introduced:

H. F. No. 79, A bill for an act relating to human services; providing for an exception to the nursing home moratorium; amending Minnesota Statutes 1986, section 144A.071, subdivision 3.

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

Simoneau, Seaberg, Rice and Norton introduced:

H. F. No. 80, A bill for an act relating to motor vehicles; providing that certain license plates be issued every six years; amending Minnesota Statutes 1986, section 168.12, subdivisions 1, 2a, and 5.

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

Stanius introduced:

H. F. No. 81, A bill for an act relating to local government; providing for the use of certain city reserve funds; amending Minnesota Statutes 1986, section 471.572, subdivision 3.

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

Stanius introduced:

H. F. No. 82, A bill for an act relating to the city of White Bear Lake; permitting the establishment of special service districts in the city and providing taxing and other authority.

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

Bauerly, Winter, Cooper, Bertram and Wenzel introduced:

H. F. No. 83, A resolution memorializing Congress to immediately adopt the "Save the Family Farm Act" or similar legislation to meet the catastrophe striking American farmers and the farm economy.

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

Shaver introduced:

H. F. No. 84, A bill for an act relating to waters; allowing aeration activities on Hadley Lake in Hennepin county.

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

Begich, Larsen, Battaglia, Quinn and Sarna introduced:

H. F. No. 85, A bill for an act relating to consumer protection; requiring certain disclosures in sales of used motor vehicles; regulating new and used motor vehicle licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 8, 10, and 24; and 325E.0951, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 168 and 168A.

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

Peterson, Lasley, Jennings and Carlson, D., introduced:

H. F. No. 86, A bill for an act relating to local government; permitting certain counties to levy a tax for the county historical society; imposing a reverse referendum requirement.

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

Frerichs, Richter, Tjornhom, Hugoson and Sviggum introduced:

H. F. No. 87, A bill for an act relating to the legislature; redefining "legislative day" as any calendar day except Sunday; amending Minnesota Statutes 1986, section 3.012.

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

Quinn, Greenfield, Bishop, Orenstein and Voss introduced:

H. F. No. 88, A bill for an act relating to trusts; regulating investment of trust assets; prescribing the standard of care for trustees; allowing trustees to delegate duties and employ agents; amending Minnesota Statutes 1986, sections 501.125, subdivision 1; and 501.66, subdivision 28; repealing Minnesota Statutes 1986, sections 501.125, subdivision 1a; and 501.66, subdivision 6a.

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

Simoneau, O'Connor, Quinn, Clausnitzer and Scheid introduced:

H. F. No. 89, A bill for an act relating to animals; providing for the return of lost animals to their owners; prohibiting transfer of certain dogs and cats for use in research; providing a penalty; amending Minnesota Statutes 1986, section 35.71.

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

Haukoos, Vellenga, Kalis, Pappas and Dempsey introduced:

H. F. No. 90, A bill for an act relating to crimes; requiring health professionals to report certain burn injuries; amending Minnesota Statutes 1986, sections 626.52, by adding a subdivision; and 626.53.

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

Knuth, Bishop, Munger, Price and Rose introduced:

H. F. No. 91, A bill for an act relating to utilities; enacting the Minnesota pipeline safety act; creating the office of pipeline safety and providing for its powers and duties; granting rulemaking authority to the environmental quality board; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; regulating excavations in the area of buried utilities; providing for a pipeline inspection fee; establishing the pipeline safety fund; requiring a study; providing penalties; appropriating money; amending Minnesota Statutes 1986, section 116I.02, subdivisions 2 and 3; proposing coding for new law in

Minnesota Statutes, chapter 116I; proposing coding for new law as Minnesota Statutes, chapters 216C and 299J.

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

MOTIONS AND RESOLUTIONS

Simoneau moved that the names of Pappas, McKasy, Dorn and Carruthers be added as authors on H. F. No. 44. The motion prevailed.

Ogren moved that the name of O'Connor be added as an author on H. F. No. 52. The motion prevailed.

Ogren moved that the names of Sparby and Johnson, V., be added as authors on H. F. No. 54. The motion prevailed.

Kostohryz moved that the name of Bennett be added as an author on H. F. No. 64. The motion prevailed.

Bertram introduced:

House Resolution No. 4, A House resolution extending congratulations to Craig Brinkman of Paynesville, Minnesota, on attaining Scouting's Eagle Award.

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

House Resolution No. 1 was reported to the House.

McLaughlin moved that House Resolution No. 1 be now adopted.

McLaughlin moved to amend House Resolution No. 1, as follows:

Page 1, line 8, after "origin," insert "marital status,"

The motion prevailed and the amendment was adopted.

McLaughlin moved to amend House Resolution No. 1, as amended, as follows:

Page 2, line 34, after "affirmative" insert "action"

The motion prevailed and the amendment was adopted.

NOTICE OF INTENTION TO DEBATE
A RESOLUTION

Pursuant to House Rule 4.5, Rose gave notice of his intention to debate House Resolution No. 1. The resolution, as amended, was laid over one day.

House Concurrent Resolution No. 1 was reported to the House.

Clark moved that House Concurrent Resolution No. 1 be now adopted.

Kostohryz moved to amend House Concurrent Resolution No. 1, as follows:

Page 2, line 10, delete "protests the use of"

Page 2, delete line 11

Page 2, line 12, delete "is clarified. It"

Page 2, line 12, delete "immediately"

Page 2, line 15, delete everything after "Code"

Page 2, line 16, delete everything before "and"

Page 2, line 22, delete "Central America" and insert "a foreign country"

Amend the title as follows:

Page 1, line 3, delete "Central America" and insert "foreign countries without the consent of the Governor"

A roll call was requested and properly seconded.

McDonald moved to re-refer House Concurrent Resolution No. 1 to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the McDonald motion and the roll was called. There were 62 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Bennett	Blatz	Burger	Clausnitzer
Beard	Bishop	Boo	Carlson, D.	Dauner

DeBleck	Hugoson	Miller	Redalen	Sviggum
Dempsey	Jennings	Morrison	Richter	Swenson
Dille	Johnson, R.	Olsen, S.	Rodosovich	Tjornhom
Forsythe	Johnson, V.	Omann	Rose	Tompkins
Frederick	Knickerbocker	Onnen	Rukavina	Uphus
Frerichs	Lasley	Osthoff	Schafer	Valento
Gutknecht	Lieder	Ozment	Schreiber	Waltman
Hartle	Marsh	Pauly	Seaberg	Wenzel
Haukoos	McDonald	Pelowski	Shaver	
Heap	McKasy	Poppenhagen	Solberg	
Himle	McPherson	Quist	Stanius	

Those who voted in the negative were:

Anderson, G.	Jaros	McLaughlin	Otis	Steensma
Battaglia	Jefferson	Milbert	Pappas	Trimble
Bauerly	Jensen	Minne	Peterson	Tunheim
Begich	Kahn	Munger	Price	Vanasek
Bertram	Kalis	Murphy	Quinn	Voss
Brown	Kelly	Nelson, C.	Reding	Wagenius
Carlson, L.	Kelso	Nelson, D.	Rest	Welle
Carruthers	Kinkel	Nelson, K.	Rice	Winter
Clark	Kludt	Neuenschwander	Scheid	Wynia
Cooper	Knuth	O'Connor	Schoenfeld	Spk. Norton
Dorn	Kostohryz	Ogren	Segal	
Greenfield	Krueger	Olson, E.	Simoneau	
Gruenes	Larsen	Olson, K.	Skoglund	
Jacobs	Long	Orenstein	Sparby	

The motion did not prevail.

The question recurred on the Kostohryz amendment and the roll was called. There were 121 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Beard Marsh McDonald Osthoff

The motion prevailed and the amendment was adopted.

NOTICE OF INTENTION TO DEBATE
A RESOLUTION

Pursuant to House Rule 4.5, McDonald gave notice of his intention to debate House Concurrent Resolution No. 1. The resolution, as amended, was laid over one day.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Education: Remove the name of Sviggum and add the name of Richter.

General Legislation, Veterans Affairs and Gaming: Remove the name of Richter and add the name of Quist.

Taxes: Remove the name of Quist and add the name of Sviggum.

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, January 22, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, January 22, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives