

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 22, 1987

The House of Representatives convened at 12:00 noon and was called to order by Fred C. Norton, Speaker of the House.

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

The roll was called and the following members were present:

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

A quorum was present.

Carlson, D.; Frerichs; Himle; Jensen; Knickerbocker and McEachern were excused.

Seaberg was excused until 1:00 p.m.

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

Kelly from the Committee on Judiciary to which was referred:

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.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 45, A bill for an act relating to commerce; revising the Uniform Trade Secret Act; clarifying remedies; amending Minnesota Statutes 1986, sections 325C.01, subdivision 5; 325C.02; 325C.03; and 325C.07.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the remaining sections

Amend the title as follows:

Page 1, line 4, delete "325C.01, subdivision 5;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 66, A resolution memorializing the Congress of the United States to enact an extension of the federal highway program at the earliest possible date.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 34, 45 and 66 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Minne, Begich, Battaglia, Solberg and Rukavina introduced:

H. F. No. 92, A bill for an act relating to taxation; providing for expenditure of proceeds of the taconite production tax; amending Minnesota Statutes 1986, section 298.293; repealing Laws 1986, chapter 441, section 14.

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

Neuenschwander; Carlson, D.; Kelly; Begich and Miller introduced:

H. F. No. 93, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged; appropriating money.

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

Simoneau; Johnson, A.; Larsen; Jacobs and Schreiber introduced:

H. F. No. 94, A bill for an act relating to Anoka county; authorizing a certain loan agreement with the commissioner of transportation for the development of new highway No. 10; appropriating money.

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

Simoneau; Johnson, A.; Voss; Larsen and Jacobs introduced:

H. F. No. 95, A bill for an act relating to Anoka county; authorizing the issuance of county bonds for capital improvements.

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

McKasy, Quinn, Kelly, Kostohryz and Valento introduced:

H. F. No. 96, A bill for an act relating to the state high school league; requiring the league to arrange certain conference memberships; providing standards; amending Minnesota Statutes 1986, section 129.121, subdivision 1.

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

Begich, Battaglia and Rukavina introduced:

H. F. No. 97, A bill for an act relating to public improvements; providing for loans for firefighting facilities; providing for a state bond issue; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Rukavina and Begich introduced:

H. F. No. 98, A bill for an act relating to liquor; authorizing St. Louis county to issue one off-sale liquor license.

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

McKasy introduced:

H. F. No. 99, A bill for an act relating to retirement; West St. Paul police relief association; defining salary for benefit and contribution purposes; amending Laws 1967, chapter 751, section 2.

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

Neuenschwander introduced:

H. F. No. 100, A bill for an act relating to public utilities; providing for uniformity of public coin-operated telephones; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Stanius, Hartle, Jennings and Uphus introduced:

H. F. No. 101, 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.

Stanius; Rose; Carlson, D.; Neuenschwander and Jennings introduced:

H. F. No. 102, A bill for an act relating to game and fish; use of mechanical release bows during archery seasons; amending Minnesota Statutes 1986, section 97B.035, subdivision 1.

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

Uphus introduced:

H. F. No. 103, A bill for an act relating to traffic regulations; providing for designation of exempt railroad grade crossings; amending Minnesota Statutes 1986, section 169.28.

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

Stanius; Carlson, D.; Tompkins; Tjornhom and Jennings introduced:

H. F. No. 104, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection program; appropriating money; amending Minnesota Statutes 1986, sections 62E.52, subdivisions 2, 3, 7, and by adding a sub-

division; 62E.53, subdivisions 1, 2, 3, and 4; and 62E.531, subdivisions 1 and 3.

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

Bishop, Kelly, Skoglund, Long and Morrison introduced:

H. F. No. 105, A bill for an act relating to discrimination; prohibiting conditioning credit on the signature of another person if the applicant is credit-worthy; amending Minnesota Statutes 1986, section 363.03, subdivision 8.

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

Gruenes, Morrison, Bennett, Dille and Omann introduced:

H. F. No. 106, 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.

Tompkins; Stanius; Hugoson; Carlson, D., and Tjornhom introduced:

H. F. No. 107, 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.

Sparby, Sviggum, McDonald, Waltman and Neuenschwander introduced:

H. F. No. 108, A bill for an act relating to trespass; permitting paint blazes in lieu of trespass signs; amending Minnesota Statutes 1986, section 97B.001, subdivision 4.

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

Tunheim, Dauner, Neuenschwander and Johnson, V., introduced:

H. F. No. 109, A bill for an act relating to workers' compensation; providing for an efficient hearing process; amending Minnesota Statutes 1986, sections 176.102, subdivisions 6 and 6a; 176.103, subdivisions 2 and 3; 176.155, subdivision 1; 176.242, by adding a subdivision; 176.306, by adding subdivisions; and 176.341.

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

Nelson, D.; Solberg; Beard and Pelowski introduced:

H. F. No. 110, A bill for an act relating to employment; limiting the employment hours of certain minors during the school year; amending Minnesota Statutes 1986, sections 181A.04, by adding a subdivision; and 181A.12, subdivision 1.

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

Olsen, S.; Kalis; Kostohryz; Scheid and Valento introduced:

H. F. No. 111, A bill for an act relating to motor vehicles; authorizing special license plates for Pearl Harbor survivors; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Simoneau; Clark; Johnson, R.; Knickerbocker and Reding introduced:

H. F. No. 112, A bill for an act relating to retirement; providing lump sum payments to certain retired or disabled public employees or their surviving spouses; appropriating money.

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

Sviggum, Vanasek and Ozment introduced:

H. F. No. 113, A bill for an act relating to retirement; guaranteeing public employees retirement benefits; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Pelowski and Johnson, V., introduced:

H. F. No. 114, A bill for an act relating to education; state universities; establishing a composites science and engineering program at Winona State University; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136.

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

Johnson, A.; Olson, E.; Johnson, V.; Rukavina and Otis introduced:

H. F. No. 115, A bill for an act relating to motor vehicles; establishing system of lifetime motor-vehicle license plates; refunding certain license plate fees; providing that personalized license plates be reissued to previous holders under certain circumstances; appropriating money; amending Minnesota Statutes 1986, section 168.12, subdivisions 1 and 5.

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

Krueger introduced:

H. F. No. 116, A bill for an act relating to waters; petitions for termination of watershed districts; amending Minnesota Statutes 1986, section 112.411, subdivision 1; repealing Minnesota Statutes 1986, section 112.411, subdivision 5.

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

Hugoson and Olson, K., introduced:

H. F. No. 117, A resolution memorializing that the governments of the United States and the Socialist Republic of Vietnam take all possible action to determine the fate of persons missing in action and/or held as prisoners of war in Asian nations.

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

Begich, Battaglia and Rukavina introduced:

H. F. No. 118, 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.

Johnson, R.; Pelowski; Marsh and DeBlicke introduced:

H. F. No. 119, A bill for an act relating to employment; providing the option for certain employees at a state university to obtain state employee fringe benefits; amending Minnesota Statutes 1986, section 43A.27, by adding a subdivision.

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

Greenfield, Wynia, Carruthers, Dorn and Ozment introduced:

H. F. No. 120, A bill for an act relating to health; requiring licensure of home care agencies; providing a home care bill of rights; providing a complaint procedure for home care clients; appropriating money; amending Minnesota Statutes 1986, sections 144.335, subdivision 1; 144.699, subdivision 2; 144A.51, subdivision 6, and by adding a subdivision; 144A.52, subdivision 3; 144A.53, subdivisions 1, 2, 3, and 4; 144A.54, subdivision 1; 256B.04, by adding a subdivision; 364.09; and 626.557, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

Riveness introduced:

H. F. No. 121, A bill for an act relating to public safety; providing special license plates for motorcycles for amateur radio station licensees; amending Minnesota Statutes 1986, section 168.12, subdivision 2.

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

Riveness; Ogren; Simoneau; Johnson, R., and Knickerbocker introduced:

H. F. No. 122, A bill for an act relating to retirement; providing that membership in public pension systems is an enforceable con-

tractual right; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Bishop, Kelly, Pappas, Rest and Swenson introduced:

H. F. No. 123, A bill for an act relating to probate; changing the size of estates subject to collection 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.

MOTIONS AND RESOLUTIONS

Skoglund moved that the name of Quist be added as an author on H. F. No. 32. The motion prevailed.

Milbert moved that the name of Blatz be added as an author on H. F. No. 41. The motion prevailed.

Welle moved that the name of Jennings be added as an author on H. F. No. 69. The motion prevailed.

McDonald moved that the name of Valento be added as an author on H. F. No. 75. The motion prevailed.

Nelson, K., moved that the name of Johnson, A., be added as an author on H. F. No. 78. The motion prevailed.

Simoneau moved that the name of Bennett be added as an author on H. F. No. 80. The motion prevailed.

Shaver moved that the name of Morrison be added as an author on H. F. No. 84. The motion prevailed.

Carruthers; Bertram; Olson, K.; Clausnitzer and Stanius introduced:

House Resolution No. 5, A House resolution proclaiming January 25-31 to be Young Astronaut Week and January 28 to be Challenger Day in Minnesota.

SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that House Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 5

A House resolution proclaiming January 25-31 to be Young Astronaut Week and January 28 to be Challenger Day in Minnesota.

Whereas, our children are the future of our state and country; and

Whereas, the space program has an important role to play in advancing science and the dreams of the human race; and

Whereas, interest and enthusiasm in the study of science and space technology throughout the state of Minnesota should be encouraged in our young people; and

Whereas, the courage of the Challenger astronauts and all those involved in our space program should always be remembered; *Now, Therefore,*

Be It Resolved by the House of Representatives of the State of Minnesota that it proclaims January 25-31 to be Young Astronaut Week and January 28 to be Challenger Day in Minnesota.

Carruthers moved that House Resolution No. 5 be now adopted. The motion prevailed and House Resolution No. 5 was adopted.

Johnson, R., introduced:

House Resolution No. 6, A House resolution extending congratulations to the citizens of Bemidji on their 50th Anniversary celebration of the arrival of Paul Bunyan and his Blue Ox, Babe, to the city's waterfront.

The resolution was referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Kostohryz, Norton, Vanasek and Schreiber introduced:

House Resolution No. 7, A House resolution stating the sense of the House that the governments of the United States and the Socialist Republic of Vietnam take all possible action to determine the fate of persons missing in action and/or held as prisoners of war in Asian nations.

The resolution was referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Marsh, Omann, Quist, Wenzel and Hugoson introduced:

House Resolution No. 8, A House resolution expressing the sense of the House of Representatives that the United States Congress propose an amendment to the United States Constitution to protect human life.

SUSPENSION OF RULES

Marsh moved that the rules be so far suspended that House Resolution No. 8 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

POINT OF ORDER

Bishop raised a point of order pursuant to rule 5.2 relating to Introduction of Bills and Resolutions. The Speaker ruled the point of order well taken and House Resolution No. 8 out of order.

Marsh appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 39 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Bishop	Johnson, A.	Nelson, K.	Reding	Trimble
Carlson, L.	Kahn	Ogren	Rest	Vanasek
Carruthers	Knuth	Olson, K.	Rice	Vellenga
Clark	Long	Orenstein	Riveness	Wagenius
Greenfield	McLaughlin	Otis	Rukavina	Welle
Jaros	Minne	Pappas	Segal	Wynia
Jefferson	Munger	Peterson	Simoneau	Spk. Norton
Jennings	Nelson, C.	Price	Skoglund	

Those who voted in the negative were:

Anderson, G.	DeBlieck	Johnson, R.	McKasy	Pauly
Anderson, R.	Dempsey	Johnson, V.	McPherson	Pelowski
Battaglia	Dille	Kalis	Milbert	Poppenhagen
Bauerly	Dorn	Kelly	Miller	Quinn
Beard	Forsythe	Kelso	Morrison	Quist
Begich	Frederick	Kinkel	Murphy	Redalen
Bennett	Gruenes	Kludt	Neuenschwander	Richter
Bertram	Gutknecht	Krueger	O'Connor	Rodosovich
Blatz	Hartle	Larsen	Olsen, S.	Rose
Brown	Haukoos	Lasley	Olson, E.	Sarna
Burger	Heap	Lieder	Omann	Schafer
Clausnitzer	Hugoson	Marsh	Onnen	Schoenfeld
Cooper	Jacobs	McDonald	Ozment	Schreiber

Solberg
Sparby
Stanius
Steensma

Sviggum
Swenson
Thiede
Tjornhom

Tompkins
Tunheim
Uphus
Valento

Voss
Waltman
Wenzel
Winter

So it was the judgment of the House that the decision of the Speaker should not stand.

The question recurred on the Marsh motion that the rules be so far suspended that House Resolution No. 8 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 8

A House resolution expressing the sense of the House of Representatives that the United States Congress propose an amendment to the United States Constitution to protect human life.

Whereas, millions of abortions have been performed in the United States since the Roe v. Wade decision of the Supreme Court on January 22, 1973; and

Whereas, the Congress of the United States has not proposed, subject to ratification, a human life amendment to the Constitution of the United States; and

Whereas, under Article V of the Constitution of the United States, amendments to the United States Constitution may be proposed by the Congress whenever two-thirds of both houses believe it necessary; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the House of Representatives of the State of Minnesota requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States that is substantially in the following form:

"Section 1. With respect to the right to life, the word 'person,' as used in this article and the Fifth and Fourteenth Articles of Amendment to the Constitution of the United States, applies to all human beings irrespective of age, health, function, or condition of dependency, including their biological development.

"Section 2. No unborn person shall be deprived of life by any person; provided, however, that nothing in this article shall prohibit a law permitting only those medical procedures required to prevent the death of the mother.

"Section 3. The Congress and the several states shall have power to enforce this article by appropriate legislation."

Be It Further Resolved that the legislatures of the several states comprising the United States are urged to apply to the Congress requesting the proposal of an appropriate amendment to the United States Constitution that protects human life.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and that of the Speaker, and present them to the President of the Senate of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Clerk of the House of Representatives of the United States, to each of the Minnesota Representatives and Senators in Congress, and to each house of the legislatures of all other states of the union.

Marsh moved that House Resolution No. 8 be now adopted.

A roll call was requested and properly seconded.

Morrison was excused for the remainder of today's session.

The question was taken on the adoption of House Resolution No. 8 and the roll was called. There were 91 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dorn	Krueger	Onnen	Schoenfeld
Anderson, R.	Forsythe	Larsen	Osthoff	Schreiber
Battaglia	Frederick	Lasley	Ozment	Solberg
Bauerly	Gruenes	Lieder	Pauly	Sparby
Beard	Gutknecht	Marsh	Pelowski	Stanius
Begich	Hartle	McDonald	Peterson	Steensma
Bennett	Haukoos	McKasy	Poppenhagen	Svigum
Bertram	Heap	McPherson	Price	Swenson
Blatz	Hugoson	Milbert	Quinn	Thiede
Boo	Jacobs	Miller	Quist	Tjornhom
Brown	Johnson, R.	Murphy	Redalen	Tompkins
Burger	Johnson, V.	Nelson, C.	Reding	Tunheim
Clausnitzer	Kalis	Neuenschwander	Rice	Uphus
Cooper	Kelly	O'Connor	Richter	Vanasek
Dauner	Kelso	Ogren	Rodosovich	Voss
DeBlieck	Kinkel	Olsen, S.	Sarna	Waltman
Dempsey	Kludt	Olson, E.	Schafer	Welle
Dille	Kostohryz	Omann	Scheid	Wenzel
				Winter

Those who voted in the negative were:

Bishop	Jefferson	McLaughlin	Rest	Skoglund
Carlson, L.	Jennings	Minne	Riveness	Trimble
Carruthers	Johnson, A.	Munger	Rukavina	Vellenga
Clark	Kahn	Olson, K.	Segal	Wagenius
Greenfield	Knuth	Orenstein	Shaver	Wynia
Jaros	Long	Pappas	Simoneau	Spk. Norton

The motion prevailed and House Resolution No. 8 was adopted.

Quist moved that the House recess subject to the call of the Chair.

A roll call was requested and properly seconded.

POINT OF ORDER

Quist raised a point of order pursuant to section 216, paragraph 3, of "Mason's Manual of Legislative Procedure" relating to rules governing the motion to recess. The Speaker ruled the point of order well taken and the Quist motion in order.

The question recurred on the Quist motion and the roll was called. There were 55 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Bauerly	Dorn	Kludt	Ozment	Steensma
Bennett	Forsythe	Larsen	Pauly	Sviggum
Bertram	Frederick	Lieder	Pelowski	Swenson
Blatz	Gruenes	Marsh	Poppenhagen	Thiede
Burger	Gutknecht	McDonald	Quist	Tjornhom
Clausnitzer	Haukoos	McKasy	Redalen	Tompkins
Cooper	Heap	McPherson	Richter	Tunheim
Dauner	Hugoson	Miller	Schafer	Uphus
DeBlicke	Johnson, A.	Olsen, S.	Schreiber	Waltman
Dempsey	Johnson, V.	Omann	Sparby	Wenzel
Dille	Kinkel	Onnen	Stanius	Winter

Those who voted in the negative were:

Anderson, G.	Jefferson	Milbert	Otis	Schoenfeld
Anderson, R.	Jennings	Minne	Pappas	Segal
Battaglia	Johnson, R.	Munger	Peterson	Simoneau
Beard	Kahn	Murphy	Price	Skoglund
Begich	Kalis	Nelson, C.	Quinn	Solberg
Bishop	Kelly	Nelson, K.	Reding	Trimble
Brown	Kelso	Neuenschwander	Rest	Vanasek
Carlson, L.	Knuth	O'Connor	Rice	Vellenga
Carruthers	Kostohryz	Ogren	Riveness	Voss
Clark	Krueger	Olson, E.	Rodosovich	Wagenius
Greenfield	Lasley	Olson, K.	Rukavina	Welle
Hartle	Long	Orenstein	Sarna	Wynia
Jaros	McLaughlin	Osthoff	Scheid	Spk. Norton

The motion did not prevail.

House Resolution No. 1 was reported to the House.

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

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

Page 1, delete lines 11 through 14, and insert:

“Whereas, it is the policy of the Minnesota House of Representatives to take affirmative action to eliminate the underutilization of qualified members of protected groups, in order to correct imbalances and eliminate the present effects of past discrimination.

‘Protected groups’ means females; handicapped persons; members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan native; and, until 1989, veterans who served in the military service of this country during the period from August 5, 1964, to May 7, 1975, and separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or because of disability incurred while serving on active duty and who are permanent residents of the state of Minnesota; Now, Therefore,”

The motion prevailed and the amendment was adopted.

HOUSE RESOLUTION NO. 1

A House resolution requiring the establishment of an affirmative action plan and designating an affirmative action officer.

Whereas, the Minnesota House of Representatives has the responsibility to guarantee equal employment opportunity in the House of Representatives without reference to age, race, color, religion, sex, disability, national origin, marital status, status with regard to public assistance, or military service; and

Whereas, it is the policy of the Minnesota House of Representatives to take affirmative action to eliminate the underutilization of qualified members of protected groups, in order to correct imbalances and eliminate the present effects of past discrimination.

“Protected groups” means females; handicapped persons; members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan native; and, until 1989, veterans who served in the military service of this country during the period from August 5, 1964, to May 7, 1975, and separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or because of disability incurred while serving on active duty and who are permanent residents of the state of Minnesota; Now, Therefore,

Be It Resolved by the House of Representatives of the State of Minnesota that:

(a) The House Committee on Rules and Legislative Administration shall adopt and periodically revise an affirmative action plan for the staff of the House of Representatives and monitor compliance with the plan.

(b) At the direction of the committee, the House Department Directors Group, with the assistance of the House Personnel Services Administrator, shall prepare and recommend to the committee an affirmative action plan. The plan shall consist of:

(1) procedures, standards, and assumptions used by the committee in preparing or revising the plan;

(2) methods and policies to improve underutilization including a job posting and advertising policy;

(3) procedures to implement the methods and policies specifically including procedures to investigate and resolve any complaints;

(4) goals and timetables for accomplishing the goals;

(5) a requirement for the periodic submission of affirmative action progress reports to the committee; and

(6) other relevant information.

(c) The House Personnel Services Administrator is designated as the affirmative action officer of the House of Representatives. As affirmative action officer, the House Personnel Services Administrator reports directly to the Chairman of the Committee on Rules and Legislative Administration and shall keep the Minority Leader advised of all activities. At the direction of the committee, the officer shall implement the plan for the House; research or investigate to identify problem areas; assist in recruiting qualified members of protected classes for staff positions; provide educational programs for House members, staff managers, and staff on the need for and proper response to affirmative action; review House personnel practices on an ongoing basis to ensure compliance with the plan; investigate complaints of discrimination and report his or her findings and recommendations to the committee; periodically report to the Rules and Legislative Administration Committee on the degree of success of the committee's plan and his or her action program; and take other action necessary to support and further equal employment opportunity in the House.

(d) All House members and staff shall facilitate the work of the affirmative action officer. Information shall be provided to the officer on each vacant position or new position established, and the affirmative action officer may provide each hiring officer with a list of qualified applicants for these positions.

The motion prevailed and House Resolution No. 1, as amended, was adopted.

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 16, delete everything after the period

Page 2, delete lines 17 to 20

The motion prevailed and the amendment was adopted.

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

Delete the title and text of the resolution and insert:

"A House concurrent resolution relating to National Guard service in Central America.

Whereas, the National Guard traces its roots to colonial militias that fought the Revolutionary War; and

Whereas, militias were believed so important by the country's founders that article 1, section 8, clause 15, of the United States Constitution reserved to the states the power to train the militias; and

Whereas, the National Guard is made up of volunteers who willingly give up their time to be of service to our state and nation; and

Whereas, the National Guard has an opportunity to participate in training exercises in Central America; and

Whereas, these training exercises consist of assisting humanitarian missions in Central America through our embassies and in assisting refugees at camps in Honduras; and

Whereas, the countries where the exercises occur have requested the presence of the National Guard; *Now, Therefore,*

Be It Resolved that the Minnesota House of Representatives of the State of Minnesota support the participation of our National Guard

in these humanitarian missions to Central America while on training exercises in that area.

Be It Further Resolved that a copy of this resolution should be sent by the Chief Clerk of the House of Representatives to the Minnesota Adjutant-General."

A roll call was requested and properly seconded.

Clark requested a division of the McDonald amendment.

POINT OF ORDER

McDonald raised a point of order pursuant to rule 3.6 relating to the division of a question. The Speaker ruled the point of order not well taken.

Clark withdrew her request for a division of the McDonald amendment.

Anderson, G., moved to amend the McDonald amendment to House Concurrent Resolution No. 1, as amended, as follows:

In the McDonald amendment, Page 1, delete lines 3 to 12 and insert "Page 1, after line 7, insert"

Page 1, delete lines 16 to 24

Page 2, delete lines 1 to 5

POINT OF ORDER

McDonald raised a point of order pursuant to rule 3.6 relating to the division of a question. The Speaker ruled the point of order not well taken and the Anderson, G., amendment in order.

POINT OF ORDER

Osthoff raised a point of order pursuant to section 401, paragraph 2, of "Mason's Manual of Legislative Procedure" relating to frivolous and improper amendments. The Speaker ruled the point of order not well taken and the Anderson, G., amendment in order.

Solberg moved that House Concurrent Resolution No. 1, as amended, be laid over until Monday, January 26, 1987.

Neuenschwander moved that House Concurrent Resolution No. 1, as amended, be re-referred to the Committee on General Legislation, Veterans Affairs and Gaming.

A roll call was requested and properly seconded.

The question was taken on the Neuenschwander motion and the roll was called. There were 91 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Long	Pelowski	Solberg
Battaglia	Gruenes	McKasy	Peterson	Sparby
Bauerly	Haukoos	McLaughlin	Price	Steensma
Beard	Jacobs	Milbert	Quinn	Trimble
Begich	Jefferson	Minne	Redalen	Tunheim
Bennett	Jennings	Munger	Reding	Uphus
Bertram	Johnson, A.	Nelson, C.	Rest	Vanasek
Bishop	Johnson, R.	Nelson, D.	Rice	Vellenga
Blatz	Kahn	Nelson, K.	Riveness	Voss
Brown	Kelly	Neuenschwander	Rodosovich	Wagenius
Burger	Kelso	O'Connor	Rose	Waltman
Carlson, L.	Kinkel	Ogren	Rukavina	Wenzel
Carruthers	Kludt	Olsen, S.	Sarna	Winter
Clark	Knuth	Olson, E.	Scheid	Wynia
Cooper	Kostohryz	Olson, K.	Schoenfeld	Spk. Norton
DeBlicke	Krueger	Orenstein	Seaberg	
Dille	Larsen	Osthoff	Segal	
Dorn	Lasley	Otis	Simoneau	
Forsythe	Lieder	Pappas	Skoglund	

Those who voted in the negative were:

Anderson, R.	Heap	McPherson	Poppenhagen	Swenson
Boo	Hugoson	Miller	Quist	Thiede
Clausnitzer	Johnson, V.	Murphy	Richter	Tjornhom
Dauner	Kalis	Onnen	Schafer	Tompkins
Dempsey	Marsh	Ozment	Schreiber	Valento
Hartle	McDonald	Pauly	Stanius	Welle

The motion prevailed and House Concurrent Resolution No. 1, as amended, was re-referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Jacobs moved that H. F. No. 13 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Regulated Industries. The motion prevailed.

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 26, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 26, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives