

## STATE OF MINNESOTA

## SEVENTY-SIXTH SESSION—1989

## FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 12, 1989

The House of Representatives convened at 2:30 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by Father Fred Mertz of the Assumption Catholic Church, St. Paul, Minnesota.

The roll was called and the following members were present:

Abrams	Frederick	Krueger	Onnen	Seaberg
Anderson, G.	Frerichs	Lasley	Orenstein	Segal
Anderson, R.	Girard	Lieder	Osthoff	Simoneau
Battaglia	Gruenes	Limmer	Ostrom	Skoglund
Bauerly	Gutknecht	Long	Otis	Solberg
Beard	Hartle	Lynch	Ozment	Sparby
Begich	Hasskamp	Macklin	Pappas	Stanius
Bennett	Haukoos	Marsh	Pauly	Steensma
Bertram	Heap	McDonald	Pellow	Sviggum
Bishop	Henry	McEachern	Pelowski	Swenson
Blatz	Himle	McGuire	Peterson	Tjornhom
Boo	Hugoson	McLaughlin	Poppenhagen	Tompkins
Brown	Jacobs	McPherson	Price	Trimble
Burger	Janezich	Milbert	Pugh	Uphus
Carlson, D.	Jaros	Miller	Quinn	Valento
Carlson, L.	Jefferson	Morrison	Redalen	Vellenga
Carruthers	Jennings	Munger	Reding	Wagenius
Clark	Johnson, A.	Murphy	Rest	Waltman
Conway	Johnson, V.	Nelson, C.	Rice	Weaver
Cooper	Kahn	Nelson, K.	Richter	Welle
Dauner	Kalis	O'Connor	Rodosovich	Wenzel
Dawkins	Kelly	Ogren	Rukavina	Williams
Dempsey	Kelso	Olsen, S.	Sarna	Winter
Dille	Kinkel	Olson, E.	Schafer	Wynia
Dorn	Knickerbocker	Olson, K.	Scheid	Spk. Vanasek
Forsythe	Kostohryz	Omann	Schreiber	

A quorum was present.

Greenfield; Johnson, R.; Neuenschwander and Tunheim were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vellenga moved that further reading of the Journal be dis-

pensed 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. 1, A bill for an act relating to courts; reenacting the statutory provision authorizing six member juries in nonfelony cases; reenacting Minnesota Statutes 1988, section 593.01, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, before the period insert "and applies to crimes committed on or after that date"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 1 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Onnen, Girard and McDonald introduced:

H. F. No. 34, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 1; providing that state spending may not increase at a greater rate than increases in the consumer price index.

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

Bauerly, Vellenga, Kelso, Ozment and Pelowski introduced:

H. F. No. 35, A bill for an act relating to education; establishing a basic revenue formula allowance for fiscal years 1990 and 1991; revising the training and experience revenue formula; amending Minnesota Statutes 1988, section 124A.22, subdivisions 2 and 4.

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

Simoneau; Johnson, R.; Steensma and Begich introduced:

H. F. No. 36, A bill for an act relating to ethics; clarifying and modifying certain exceptions to multicandidate political party expenditure limitations; modifying lobbyist reporting requirements; and discontinuing the state ethical practices board responsibility for developing and furnishing certain forms; amending Minnesota Statutes 1988, sections 10A.04, subdivision 2; 10A.275; and 383B.055, subdivisions 1 and 2.

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

Redalen, Bauerly, Girard, Uphus and Pelowski introduced:

H. F. No. 37, A bill for an act relating to education; authorizing the use of health and safety revenue to improve handicapped accessibility to school district facilities; amending Minnesota Statutes 1988, section 124.83, subdivisions 1, 2, and 6.

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

Wenzel; Anderson, R.; Munger; Cooper and Sparby introduced:

H. F. No. 38, A bill for an act relating to human services; imposing a moratorium on discharges of persons with mental retardation from regional treatment centers; establishing an advisory council on regional treatment centers; proposing coding for new law in Minnesota Statutes, chapter 252.

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

Murphy introduced:

H. F. No. 39, A bill for an act relating to unemployment compen-

sation; defining the term "wages"; amending Minnesota Statutes 1988, section 268.04, subdivision 25.

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

Long, Rest and Welle introduced:

H. F. No. 40, A bill for an act relating to the financing of local government; providing for computation of debt limits as a percentage of market value; adjusting other debt limits for the conversion to tax capacities; adjusting disparity reduction aid in certain cases; making technical corrections in 1988 tax increment financing law; amending Minnesota Statutes 1988, sections 124.43, subdivision 1; 275.08, by adding a subdivision; 410.32; 412.301; 469.177, subdivision 1a; 475.53, subdivisions 1, 5, and by adding a subdivision; Laws 1988, chapter 719, article 12, section 30.

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

Rest, Wagenius, Blatz, Vellenga and Marsh introduced:

H. F. No. 41, A bill for an act relating to family law; making surrogate mother agreements void and unenforceable; prohibiting advertisements for surrogate mothers; prohibiting the arranging of surrogate mother agreements; proposing coding for new law in Minnesota Statutes, chapters 257 and 259.

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

McLaughlin and Simoneau introduced:

H. F. No. 42, A bill for an act relating to economic development; permitting state agencies and local jurisdictions to invest in a working capital fund; amending Minnesota Statutes 1988, section 137.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16B, 161, 471, and 473.

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

Janezich and Rukavina introduced:

H. F. No. 43, A bill for an act relating to tax-forfeited lands;

authorizing St. Louis county to sell certain tax-forfeited lands adjacent to public waters by private sale.

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

Redalen introduced:

H. F. No. 44, A bill for an act relating to traffic regulations; providing exemption from two-unit vehicle restriction for horse trailers towed from place of manufacture; amending Minnesota Statutes 1988, section 169.81, subdivision 3.

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

Quinn; Carlson, L., and Weaver introduced:

H. F. No. 45; A bill for an act relating to education; appropriating money to administer a "2 + 2" program at Anoka-Ramsey Community College.

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

Kalis and Lieder introduced:

H. F. No. 46; A bill for an act relating to transportation; increasing amount authorized for state transportation bonds for bridges; amending Laws 1979, chapter 280, sections 1 and 2, as amended.

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

Lieder; Kalis and Johnson, R., introduced:

H. F. No. 47, A bill for an act relating to transportation; providing for the apportionment of revenues from the motor vehicle excise tax; amending Minnesota Statutes 1988, section 297B.09, subdivision 1.

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

Milbert introduced:

H. F. No. 48, A bill for an act relating to commerce; regulating

manufactured home park lot rentals; modifying the required notice of rent increases; limiting rent increases; providing for the resolution of rent increase disputes; amending Minnesota Statutes 1988, sections 327C.01, by adding a subdivision; 327C.05, by adding a subdivision; and 327C.06.

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

Vellenga, Wagenius, Rest, Welle and Johnson, A., introduced:

H. F. No. 49, A bill for an act relating to probate; providing for adult health care decisions; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 145B.

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

Begich introduced:

H. F. No. 50, A bill for an act relating to public debt; providing that certain property owners may vote on debt questions; amending Minnesota Statutes 1988, section 475.58, subdivision 1.

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

Bauerly introduced:

H. F. No. 51, A bill for an act relating to education; approving a maximum effort school loan program capital loan.

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

Kostohryz introduced:

H. F. No. 52, A resolution memorializing the Congress of the United States to restore full funding to the Veterans Administration Medical Centers.

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

Anderson, R.; Kostohryz; Quinn and Krueger introduced:

H. F. No. 53, A bill for an act relating to veterans; authorizing establishment of a veterans home in the city of Fergus Falls; proposing coding for new law in Minnesota Statutes, chapter 198.

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

Olson, K.; Kalis; Dauner and Winter introduced:

H. F. No. 54, A bill for an act relating to taxation; exempting leased hangars at airports in small cities from property taxation; amending Minnesota Statutes 1988, section 272.02, subdivision 1.

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

Blatz, Milbert and Dauner introduced:

H. F. No. 55, A bill for an act relating to taxation; extending valuation and deferment of agricultural property taxes in certain instances; amending Minnesota Statutes 1988, section 273.111, subdivision 3.

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

Price, Beard and Munger introduced:

H. F. No. 56, A bill for an act relating to watercraft; providing for titling and licensing of watercraft; providing procedures for notification of liens on watercraft; providing for enforcement of liens on watercraft; amending Minnesota Statutes 1988, sections 336.9-402; and 336.9-411; proposing coding for new law as Minnesota Statutes, chapter 361A; repealing Minnesota Statutes 1988, sections 361.03; and 579.01 to 579.08.

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

Kelly, Vellenga, Forsythe, Battaglia and Jaros introduced:

H. F. No. 57, A bill for an act relating to traffic regulations; extending motorcycle helmet requirement to include all operators and passengers; amending Minnesota Statutes 1988, section 169.974, subdivisions 4 and 6.

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

Forsythe, Kelly, Sviggum and Blatz introduced:

H. F. No. 58, A bill for an act relating to family law; permitting child support obligors to withdraw from the automatic withholding program; amending Minnesota Statutes 1988, section 518.613, subdivision 4.

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

Kelly, Marsh, Clark, Jefferson and Otis introduced:

H. F. No. 59, A bill for an act relating to crime; controlled substances; creating controlled substance crimes in the first, second, third, fourth, fifth, sixth, and seventh degrees; increasing penalties for controlled substance offenses; providing mandatory minimum sentences for repeat controlled substance offenses; providing a mandatory minimum sentence for a controlled substance offense committed with a dangerous weapon; creating a presumption that occupants in automobile or room knowingly possess controlled substances found there; amending Minnesota Statutes 1988, sections 152.01, by adding subdivisions; 152.096, subdivision 1; 152.097, by adding a subdivision; 152.15, subdivision 4a; 152.151; 152.18, subdivision 1; 152.20; 152.21, subdivision 6; and 609.11, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1988, sections 152.09; and 152.15, subdivisions 1, 2, 2a, 2b, 3, and 5.

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

Beard, Price and Swenson introduced:

H. F. No. 60, A bill for an act relating to crimes; removing the monetary limitation on seizure of conveyance devices associated with controlled substances; amending Minnesota Statutes 1988, sections 609.5311, subdivision 3; and 609.5314, subdivision 1.

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

Beard, Price, Quinn and Osthoff introduced:

H. F. No. 61, A bill for an act relating to human services; excluding



payments for exposure to Agent Orange from eligibility determination for general assistance; exempting causes of action for damages from exposure to Agent Orange from state agency liens and subrogation; amending Minnesota Statutes 1988, sections 256.015, by adding a subdivision; 256D.03, subdivisions 3 and 8; and 256D.08, subdivision 1.

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

Olsen, S.; Poppenhagen and Hartle introduced:

H. F. No. 62, A bill for an act relating to taxation; sales and use; exempting insurance investigation services; amending Minnesota Statutes 1988, section 297A.01, subdivision 3.

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

Johnson, R.; Solberg; Kinkel; Ogren and Neuenschwander introduced:

H. F. No. 63, A bill for an act relating to natural resources; exempting residents over 65 from licensing for harvesting of wild rice; amending Minnesota Statutes 1988, section 84.091, subdivision 2.

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

Olsen, S.; Valento; Knickerbocker; Forsythe and Henry introduced:

H. F. No. 64, A bill for an act relating to education; deleting levy equity provisions; amending Minnesota Statutes 1988, section 124A.23, subdivision 3; repealing Minnesota Statutes 1988, section 124A.24.

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

Otis introduced:

H. F. No. 65, A bill for an act relating to economic development; authorizing local jurisdictions involved in economic development to participate in secondary markets; proposing coding for new law in Minnesota Statutes, chapter 465.

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

Kostohryz, Vanasek, Schreiber, Quinn and Bennett introduced:

H. F. No. 66, A bill for an act relating to gambling; establishing a state-operated lottery; establishing a department of gaming to supervise a state-operated lottery, pari-mutuel horse racing, and charitable gambling; transferring the duties of the charitable gambling control board and the Minnesota racing commission to this department; appropriating money; amending Minnesota Statutes 1988, sections 10A.01, subdivision 18; 10A.09, subdivision 1; 15A.081, subdivision 1; 240.01, subdivisions 4, 9, and 10; 240.04; 240.28; 290.01, subdivision 19b; 290.61; 290.92, subdivision 27; 297A.25, by adding a subdivision; 349.12, subdivision 16; 541.20; 541.21; 609.75, subdivision 3; and 609.761; proposing coding for new law in Minnesota Statutes, chapters 240 and 349; proposing coding for new law as Minnesota Statutes, chapters 240B and 349A; repealing Minnesota Statutes 1988, sections 240.02; 240.04, subdivisions 1, 1a, and 6; and 349.151.

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

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 1, A house concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Wenzel moved that the names of Scheid, Marsh, Sarna and Osthoff be added as authors on H. F. No. 3. The motion prevailed.

Kelly moved that the name of Bennett be added as an author on H. F. No. 13. The motion prevailed.

Johnson, V., moved that the name of Boo be added as an author on H. F. No. 19. The motion prevailed.

Johnson, V., moved that the names of Solberg, Uphus and Olsen, S., be added as authors on H. F. No. 23. The motion prevailed.

Johnson, V., moved that the names of Uphus, Jennings and Schafer be added as authors on H. F. No. 25. The motion prevailed.

Onnen moved that the name of Bennett be added as an author on H. F. No. 26. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

**Economic Development:** Add the name of Dawkins and remove the name of Jaros.

**Economic Development/Community Stabilization and Development Division:** Add the name of Dawkins and remove the name of Sparby.

**Economic Development/International Trade and Technology Division:** Add the name of Sparby and remove the name of Jaros.

**Judiciary/Criminal Justice Division:** Add the name of Janezich and remove the name of Hasskamp.

**Local Government and Metropolitan Affairs:** Add the name of Johnson, A., and remove the name of Dawkins.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following members as committee Vice-chairs for the 1989-90 session:

#### Committee

Agriculture

Appropriations

Agriculture, Transportation and

Semi-State Division

Education Division

Health and Human Services

Division

#### Vice-Chair

Nelson, C.

Rodosovich

Lieder

Dorn

Segal

State Departments Division	Sparby
Commerce	Kinkel
Economic Development	Peterson
Community Stabilization and Development Division	Dawkins
International Trade and Technology Division	Pelowski
Rural Resource Development Division	Cooper
Education	Olson, K.
Education Finance Division	Bauerly
Higher Education Division	Trimble
Environment and Natural Resources	Johnson, R.
Financial Institutions and Housing	Bertram
Housing Division	Jefferson
General Legislation, Veterans Affairs and Gaming	Price
Elections Division	Steensma
Gaming Division	Milbert
Governmental Operations	Rukavina
Health and Human Services	Dauner
Insurance	Winter
Judiciary	Wagenius
Criminal Justice Division	Carruthers
Labor-Management Relations	Beard
Local Government and Metropolitan Affairs	Johnson, A.
Regulated Industries	Tunheim
Rules and Legislative Administration	Krueger
Taxes	Olson, E.
Transportation	Lasley
Ways and Means	Welle

## ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 19, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, January 19, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives