

STATE OF MINNESOTA

SPECIAL SESSION—1989

THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, SEPTEMBER 29, 1989

The House of Representatives convened at 3:39 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by Representative Gloria Segal, District 44B, St. Louis Park, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Morrison; Munger; Olson, K., and Redalen were excused.

Clark was excused until 4:40 p.m.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Carruthers and Scheid introduced:

H. F. No. 25, A bill for an act relating to liquor; authorizing an on-sale liquor license for the Earle Brown Heritage Center.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1, A bill for an act relating to the financing and operation of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; creating tax exemptions; changing the computation, administration, and payment of aids, credits, and refunds; providing new aids and credits; making technical corrections and clarifications; changing proposed property tax notice provisions; changing levy limits and other local government powers and duties; allowing certain units of local governments to impose taxes; changing tax increment financing provisions; providing a special levy for the city of Bayport and Goodhue county; providing that the state will be supplier of gambling equipment; authorizing establishment of an economic development authority in the city of Otsego and in Kandiyohi county; exempting Itasca county from a levy limit penalty and authorizing a special levy; modifying the levy authority of the Red River watershed management district; authorizing an appropriation by Aitkin county; providing for payment of certain aid to the cities of Falcon Heights and Lauderdale; extending the duration of tax increment financing districts in the cities of Moorhead and Chanhassen; exempting a redevelopment district in the city of Minneapolis from certain requirements; granting certain

powers to towns; modifying certain bond allocation procedures; requiring studies of state and local finance issues; requiring the governor to recommend spending reductions; setting the amount of the budget reserve; establishing plans and programs to reduce waste generated, recycle waste, develop markets for recyclables, address materials that cause special problems in the waste stream, prevent, control, and abate litter; inform and educate the public on proper waste management; requiring a mechanism to fund certain mental health services; providing procedures for allocating costs of certain human services between the state and county agencies; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 3.885, subdivisions 3, 5, and by adding subdivisions; 3.982; 6.62, subdivision 1; 10A.31, subdivision 5; 16A.15, subdivision 6; 18.023, subdivision 8; 60A.14, subdivision 1; 60A.15, subdivision 1; 60A.19, subdivision 6; 110B.15, subdivision 4; 115.34, subdivision 1; 115A.03, subdivision 25a, and by adding subdivisions; 115A.072; 115A.15, subdivision 5, and by adding subdivisions; 115A.46, by adding a subdivision; 115A.48, subdivision 3, and by adding a subdivision; 115A.915; 115A.96, subdivision 2, and by adding a subdivision; 116.07, by adding a subdivision; 116K.04, by adding a subdivision; 124.42, subdivisions 1 and 4; 124.83, subdivision 1; 124A.26, subdivision 1; 129A.06, subdivision 2; 145A.08, subdivision 3; 164.041; 256.736, subdivision 13; 256B.091, subdivision 8; 256B.19, subdivision 1, and by adding a subdivision; 256D.03, subdivision 6; 256G.01, subdivision 3; 256G.05; 256G.07; 256G.10; 256G.11; 270.067, subdivisions 1 and 2; 270.11, subdivision 2; 270.12, subdivision 3, and by adding a subdivision; 270.13; 270.18; 270.77; 270.82; 270.84; 270.85; 270.87; 272.02, subdivision 4, and by adding subdivisions; 272.025, subdivision 1; 272.115, subdivision 1; 273.064; 273.065; 273.111, subdivision 4; 273.123, subdivisions 4, 5, and 7; 273.13, subdivisions 21a, 24, 25, 31, and by adding subdivisions; 273.1392; 273.1398, subdivisions 2, 3, and by adding subdivisions; 273.33, subdivision 2; 273.37, subdivision 2; 274.14; 275.065, subdivisions 1, 3, 4, 6, 7, and by adding subdivisions; 275.07, subdivision 1, and by adding a subdivision; 275.08, subdivisions 2 and 3; 275.124; 275.125, subdivision 18; 275.15; 275.16; 275.29; 275.50, subdivision 5; 275.51, subdivisions 3f, 3h, 3i, 3j, 4, 6, and by adding a subdivision; 275.58, subdivisions 2 and 3; 276.01; 276.04, subdivisions 2 and 3; 276.09; 276.10; 276.11, subdivision 1; 277.01, subdivision 1; 277.02; 277.05; 277.06; 277.13; 284.28, subdivisions 4 and 7; 287.29; 290.01, subdivision 29; 290.02; 290.05, subdivisions 1 and 2; 290.06, subdivisions 1, 21, and by adding a subdivision; 290.067, subdivision 2, and by adding a subdivision; 290.091, subdivision 2, and by adding a subdivision; 290.095, subdivision 2, and by adding a subdivision; 290.17, by adding a subdivision; 290.21, subdivision 4; 290.35, subdivisions 1, 4, and by adding a subdivision; 290.37, subdivision 1; 290.38; 290.92, subdivision 21, and by adding a subdivision; 290.934, subdivision 3a; 290A.03, by adding a subdivision; 290A.04, subdivisions 2, 2h, 3, and by adding a subdivision; 290A.07, subdivision 2a; 295.34, subdivision 1; 297A.01, subdivision 3; 297A.02, subdivision 2; 297A.15, subdivision 5, and by adding a subdivision; 297A.25,

subdivision 3, and by adding subdivisions; 297A.257, subdivision 1; 297A.39, by adding a subdivision; 298.01, by adding subdivisions; 298.28, subdivisions 6 and 12; 298.282, subdivision 3; 298.39; 298.396; 325E.115, subdivision 1; 349.12, subdivision 19, and by adding subdivisions; 349.16, by adding a subdivision; 349.212, subdivisions 1, 2, 4, and by adding a subdivision; 349.2127, subdivision 4, and by adding a subdivision; 353A.10, subdivision 3; 360.037, subdivision 2; 368.01, subdivision 14; 373.40, subdivisions 1 and 2; 375.18, by adding a subdivision; 386.015, subdivision 5; 400.08, by adding a subdivision; 412.221, subdivision 22; 414.01, subdivision 15; 444.075, subdivisions 1 and 4; 444.16; 444.17; 444.18; 444.19; 444.20; 447.34, subdivision 1; 447.35; 465.73; 469.167, subdivision 2; 469.171, subdivision 7, and by adding a subdivision; 469.174, subdivisions 10, 16, 17, and by adding a subdivision; 469.175, by adding a subdivision; 469.176, by adding a subdivision; 469.177, subdivisions 6 and 10; 469.190, subdivisions 2 and 3; 471.572, subdivision 2; 471.74, subdivision 2; 471A.03, subdivision 4; 473.149, subdivision 1; 473.167, subdivision 4; 473.249, subdivision 2; 473.446, subdivision 8; 473.711, subdivision 5; 473.803, subdivision 1; 473.87; 473F.05; 473F.06; 473F.07, subdivisions 1, 2, and 5; 473F.08, subdivisions 3, 3a, 5, and by adding a subdivision; 473F.09; 473H.10, subdivision 3; 474A.061, subdivisions 1, 2, and 4; 474A.091, subdivisions 2 and 3; 475.74; 475.754; 477A.011, subdivisions 1a, 3, 3a, 20, and by adding subdivisions; 477A.012, by adding subdivisions; 477A.013, subdivision 3, and by adding subdivisions; 477A.014, subdivision 1; 508.75; 508.76; 508.77; 508.78; 508.79; 508.82; 508A.76; 508A.77; 508A.78; 508A.79; 508A.82; Minnesota Statutes 1989 Supplement, sections 16A.1541; 115A.12, subdivision 1; 115A.46, subdivision 2; 121.904, subdivisions 4a and 4e; 124.2131, subdivision 1; 124.243, subdivision 3; 124.244, subdivision 2; 124.83, subdivision 4; 124A.03, subdivision 2; 124A.23, subdivision 1; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256B.041, subdivision 5; 256D.03, subdivision 2; 256D.051, subdivision 6; 256D.36, subdivision 1; 256G.02, subdivision 4; 270.12, subdivision 2; 272.02, subdivision 1; 273.061, subdivision 1; 273.1104, subdivision 2; 273.119, subdivision 2; 273.124, subdivision 6; 273.13, subdivisions 22 and 23; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1398, subdivisions 1, 5, and 6; 275.07, subdivision 3; 275.125, subdivisions 5, 5b, and 9; 275.14; 275.28, subdivision 1; 275.58, subdivision 1; 287.12; 290.01, subdivision 19c; 290.015, subdivisions 3 and 4; 290.05, subdivision 3; 290.06, subdivision 2c; 290.0802, subdivision 1; 290.17, subdivision 2; 290.191, subdivision 6; 290.92, subdivision 4b; 297A.25, subdivisions 11 and 16; 297A.44, subdivision 1; 298.282, subdivision 2; 349.12, subdivision 11; 349.15; 349.161, subdivision 1; 349.163, subdivision 3; 349.19, subdivision 6; 349.214, subdivision 2; 357.021, subdivision 1a; 373.40, subdivision 6; 412.251; 426.04; 469.033, subdivision 6; 469.174, subdivision 7; 469.175, subdivisions 3 and 7; 469.176, subdivisions 1 and 6; 469.190, subdivision 1; 471.1921; 473.882, subdivision 3; and 477A.013, subdivision 1; Laws 1976, chapter 162, section 1, as amended; Laws 1986, chapter 399, article 1, section 1; Laws 1987,

chapter 268, article 6, section 54, as amended; 1988, chapter 719, article 1, section 22; and article 12, section 29, as amended; Laws 1989, chapter 282, article 5, section 133; chapter 329, article 1, section 17, subdivision 2; article 2, section 8, subdivision 2; and article 5, section 21, subdivisions 2 and 3; and chapter 335, article 3, sections 54, subdivision 8; and 58, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 16B; 115A; 124; 173; 256; 273; 274; 290; 290A; 297A; 325E; 349; 469; and 473; repealing Minnesota Statutes 1988, sections 3.981; 3.983, as amended; 134.34, subdivision 6; 245.775; 270.81, subdivision 5; 273.135, subdivision 2a; 273.1391, subdivision 2a; 275.065, subdivisions 2 and 5; 275.11; 275.50; 275.51; 275.54; 275.55; 275.56; 275.561; 275.58; 290.092, subdivision 5; 290A.04, subdivision 2h; 349.2121, subdivision 4; 471A.04; 477A.011, subdivision 24; 477A.013, subdivision 4.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Long moved that the House concur in the Senate amendments to H. F. No. 1 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question was taken on the Long motion and the roll was called. There were 76 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dawkins	Krueger	Osthoff	Scheid
Anderson, R.	Dorn	Lasley	Ostrom	Segal
Battaglia	Greenfield	Lieder	Otis	Simoneau
Bauerly	Hasskamp	Long	Pappas	Skoglund
Beard	Jacobs	McEachern	Pelowski	Solberg
Begich	Janezich	McGuire	Peterson	Sparby
Bertram	Jaros	McLaughlin	Price	Steensma
Bishop	Jefferson	Milbert	Pugh	Trimble
Brown	Johnson, A.	Murphy	Quinn	Tunheim
Carlson, D.	Kahn	Nelson, C.	Reding	Vellenga
Carlson, L.	Kalis	Nelson, K.	Rest	Wagenius
Carruthers	Kelly	O'Connor	Rice	Welle
Conway	Kelso	Ogren	Rodosovich	Wenzel
Cooper	Kinkel	Olson, E.	Rukavina	Williams
Dauner	Kostohryz.	Orenstein	Sarna	Winter
				Spk. Vanasek

Those who voted in the negative were:

Abrams	Dille	Gutknecht	Hugoson	Lynch
Bennett	Forsythe	Hartle	Jennings	Macklin
Blatz	Frederick	Haukoos	Johnson, R.	Marsh
Boo	Frerichs	Heap	Johnson, V.	McDonald
Burger	Girard	Henry	Knickerbocker	McPherson
Dempsey	Gruenes	Himle	Limmer	Miller

Neuenschwander	Pauly	Schafer	Swenson	Waltman
Olsen, S.	Pellow	Schreiber	Tjornhom	Weaver
Omann	Poppenhagen	Seaberg	Tompkins	
Onnen	Richter	Stanius	Uphus	
Ozment	Runbeck	Sviggum	Valento	

The motion prevailed.

H. F. No. 1, A bill for an act relating to the financing and operation of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; creating tax exemptions; changing the computation, administration, and payment of aids, credits, and refunds; providing new aids and credits; making technical corrections and clarifications; changing proposed property tax notice provisions; changing levy limits and other local government powers and duties; allowing certain units of local governments to impose taxes; changing tax increment financing provisions; providing that the state will be supplier of gambling equipment; authorizing establishment of an economic development authority in the city of Otsego and in Kandiyohi county; exempting Itasca county from a levy limit penalty and authorizing a special levy; modifying the levy authority of the Red River watershed management district; authorizing an appropriation by Aitkin county; providing for payment of certain aid to the cities of Falcon Heights and Lauderdale; extending the duration of tax increment financing districts in the cities of Moorhead and Chanhassen; exempting a redevelopment district in the city of Minneapolis from certain requirements; allowing certain cities or towns in Pine county to become part of the North Pine area hospital district; granting certain powers to towns; modifying certain bond allocation procedures; requiring studies of state and local finance issues; requiring the governor to recommend spending reductions; setting the amount of the budget reserve; establishing plans and programs to reduce waste generated, recycle waste, develop markets for recyclables, address materials that cause special problems in the waste stream, prevent, control, and abate litter, inform and educate the public on proper waste management; requiring a mechanism to fund certain mental health services; providing procedures for allocating costs of certain human services between the state and county agencies; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 3.885, subdivisions 3, 5, and by adding subdivisions; 3.982; 6.62, subdivision 1; 10A.31, subdivision 5; 16A.15, subdivision 6; 18.023, subdivision 8; 60A.14, subdivision 1; 60A.15, subdivision 1; 60A.19, subdivision 6; 110B.15, subdivision 4; 115.34, subdivision 1; 115A.03, subdivision 25a, and by adding subdivisions; 115A.072; 115A.15, subdivision 5, and by adding subdivisions; 115A.46, by adding a subdivision; 115A.48, subdivision 3, and by adding a subdivision; 115A.915; 115A.96, subdivision 2, and by adding a subdivision; 116.07, by adding a subdivision; 116K.04, by adding a subdivision; 124.42, subdivisions 1 and 4; 124.83, subdivision 1; 124A.26, subdivision 1; 129A.06, subdivision 2; 145A.08, subdivision 3; 164.041; 256.736,

subdivision 13; 256B.091, subdivision 8; 256B.19, subdivision 1, and by adding a subdivision; 256D.03, subdivision 6; 256G.01, subdivision 3; 256G.05; 256G.07; 256G.10; 256G.11; 270.067, subdivisions 1 and 2; 270.11, subdivision 2; 270.12, subdivision 3, and by adding a subdivision; 270.13; 270.18; 270.77; 270.82; 270.84; 270.85; 270.87; 272.02, subdivision 4, and by adding subdivisions; 272.025, subdivision 1; 272.115, subdivision 1; 273.064; 273.065; 273.111, subdivisions 4; 273.123, subdivisions 4, 5, and 7; 273.13, subdivisions 21a, 24, 25, 31, and by adding subdivisions; 273.1392; 273.1398, subdivisions 2, 3, and by adding subdivisions; 273.33, subdivision 2; 273.37, subdivision 2; 274.14; 275.065, subdivisions 1, 3, 4, 6, 7, and by adding subdivisions; 275.07, subdivision 1, and by adding a subdivision; 275.08, subdivisions 2 and 3; 275.124; 275.125, subdivision 18; 275.15; 275.16; 275.29; 275.50, subdivision 5; 275.51, subdivisions 3f, 3h, 3i, 3j, 4, 6, and by adding a subdivision; 275.58, subdivisions 2 and 3; 276.01; 276.04, subdivisions 2 and 3; 276.09; 276.10; 276.11, subdivision 1; 277.01, subdivision 1; 277.02; 277.05; 277.06; 277.13; 284.28, subdivisions 4 and 7; 287.29; 290.01, subdivision 29; 290.02; 290.05, subdivisions 1 and 2; 290.06, subdivisions 1, 21, and by adding a subdivision; 290.067, subdivision 2, and by adding a subdivision; 290.091, subdivision 2, and by adding a subdivision; 290.095, subdivision 2, and by adding a subdivision; 290.17, by adding a subdivision; 290.21, subdivision 4; 290.35, subdivisions 1, 4, and by adding a subdivision; 290.37, subdivision 1; 290.38; 290.92, subdivision 21, and by adding a subdivision; 290.934, subdivision 3a; 290A.04, subdivisions 2, 2h, 3, and by adding subdivisions; 290A.07, subdivision 2a; 295.34, subdivision 1; 297A.01, subdivision 3; 297A.02, subdivision 2; 297A.15, subdivision 5, and by adding a subdivision; 297A.25, subdivision 3, and by adding subdivisions; 297A.257, subdivision 1; 297A.39, by adding a subdivision; 298.01, by adding subdivisions; 298.28, subdivisions 6 and 12; 298.282, subdivision 3; 298.39; 298.396; 325E.115, subdivision 1; 349.12, subdivision 19, and by adding subdivisions; 349.16, by adding a subdivision; 349.212, subdivisions 1, 2, 4, and by adding a subdivision; 349.2127, subdivision 4, and by adding a subdivision; 353A.10, subdivision 3; 360.037, subdivision 2; 368.01, subdivision 14; 373.40, subdivisions 1 and 2; 375.18, by adding a subdivision; 386.015, subdivision 5; 400.08, by adding a subdivision; 412.221, subdivision 22; 414.01, subdivision 15; 444.075, subdivisions 1 and 4; 444.16; 444.17; 444.18; 444.19; 444.20; 447.34, subdivision 1; 447.35; 465.73; 469.167, subdivision 2; 469.171, subdivision 7, and by adding a subdivision; 469.174, subdivisions 10, 16, 17, and by adding a subdivision; 469.175, by adding a subdivision; 469.176, by adding a subdivision; 469.177, subdivisions 6 and 10; 469.190, subdivisions 2 and 3; 471.572, subdivision 2; 471.74, subdivision 2; 471A.03, subdivision 4; 473.149, subdivision 1; 473.167, subdivision 4; 473.249, subdivision 2; 473.446, subdivision 8; 473.711, subdivision 5; 473.803, subdivision 1; 473.87; 473F.05; 473F.06; 473F.07, subdivisions 1, 2, and 5; 473F.08, subdivisions 3, 3a, 5, and by adding a subdivision; 473F.09; 473H.10, subdivision 3; 474A.061, subdivisions 1, 2, and 4; 474A.091, subdivisions 2 and 3; 475.74; 475.754; 477A.011, subdivisions 1a, 3, 3a, 20, and by adding subdivisions;

477A.012, by adding subdivisions; 477A.013, subdivision 3, and by adding subdivisions; 477A.014, subdivision 1; 508.75; 508.76; 508.77; 508.78; 508.79; 508.82; 508A.76; 508A.77; 508A.78; 508A.79; 508A.82; Minnesota Statutes 1989 Supplement, sections 16A.1541; 115A.12, subdivision 1; 115A.46, subdivision 2; 121.904, subdivisions 4a and 4e; 124.2131, subdivision 1; 124.243, subdivision 3; 124.244, subdivision 2; 124.83, subdivision 4; 124A.03, subdivision 2; 124A.23, subdivision 1; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256B.041, subdivision 5; 256D.03, subdivision 2; 256D.051, subdivision 6; 256D.36, subdivision 1; 256G.02, subdivision 4; 270.12, subdivision 2; 272.02, subdivision 1; 273.061, subdivision 1; 273.1104, subdivision 2; 273.119, subdivision 2; 273.124, subdivision 6; 273.13, subdivisions 22 and 23; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1398, subdivisions 1, 5, and 6; 275.07, subdivision 3; 275.125, subdivisions 5, 5b, and 9; 275.14; 275.28, subdivision 1; 275.58, subdivision 1; 287.12; 290.01, subdivision 19c; 290.015, subdivisions 3 and 4; 290.05, subdivision 3; 290.06, subdivision 2c; 290.0802, subdivision 1; 290.17, subdivision 2; 290.191, subdivision 6; 290.92, subdivision 4b; 297A.25, subdivisions 11 and 16; 297A.44, subdivision 1; 298.282, subdivision 2; 349.12, subdivision 11; 349.15; 349.161, subdivision 1; 349.163, subdivision 3; 349.19, subdivision 6; 349.214, subdivision 2; 357.021, subdivision 1a; 373.40, subdivision 6; 412.251; 426.04; 469.033, subdivision 6; 469.174, subdivision 7; 469.175, subdivisions 3 and 7; 469.176, subdivisions 1 and 6; 469.190, subdivision 1; 471.1921; 473.882, subdivision 3; and 477A.013, subdivision 1; Laws 1976, chapter 162, section 1, as amended; Laws 1986, chapter 399, article 1, section 1; Laws 1987, chapter 268, article 6, section 54, as amended; 1988, chapter 719, article 1, section 22; and article 12, section 29, as amended; Laws 1989, chapter 282, article 5, section 133; chapter 329, article 1, section 17, subdivision 2; article 2, section 8, subdivision 2; and article 5, section 21, subdivisions 2 and 3; and chapter 335, article 3, sections 54, subdivision 8; and 58, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 16B; 115A; 124; 173; 256; 273; 274; 290; 290A; 297A; 325E; 349; 469; and 473; reenacting Minnesota Statutes 1988, section 256D.051, subdivision 6a; repealing Minnesota Statutes 1988, sections 3.981; 3.983, as amended; 134.34, subdivision 6; 245.775; 270.81, subdivision 5; 273.135, subdivision 2a; 273.1391, subdivision 2a; 275.065, subdivisions 2 and 5; 275.11; 275.50; 275.51; 275.54; 275.55; 275.56; 275.561; 275.58; 290.092, subdivision 5; 290A.04, subdivision 2h; 349.2121, subdivision 4; 471A.04; 477A.011, subdivision 24; 477A.013, subdivision 4; Laws 1989, chapter 282, article 5, section 133, subdivision 1.

The bill was read for the third time, as amended by the Senate.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 5.10 that

H. F. No. 1, as amended by the Senate, was not in order. The Speaker ruled the point of order not well taken and H. F. No. 1, as amended by the Senate, in order.

The bill was placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 102 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Lasley	Otis	Skoglund
Anderson, R.	Girard	Lieder	Ozment	Solberg
Battaglia	Greenfield	Long	Pappas	Sparby
Bauerly	Gruenes	Macklin	Pellow	Stanius
Beard	Gutknecht	Marsh	Pelowski	Steensma
Begich	Hasskamp	McEachern	Peterson	Svigum
Bennett	Henry	McGuire	Poppenhagen	Swenson
Bertram	Hugoson	McLaughlin	Price	Tompkins
Bishop	Jacobs	McPherson	Pugh	Trimble
Boo	Janezich	Milbert	Quinn	Tunheim
Brown	Jaros	Murphy	Reding	Uphus
Carlson, D.	Jefferson	Nelson, C.	Rest	Vellenga
Carlson, L.	Johnson, A.	Nelson, K.	Rice	Wagenius
Carruthers	Johnson, V.	Neuenschwander	Rodosovich	Welle
Clark	Kahn	O'Connor	Rukavina	Wenzel
Conway	Kalis	Ogren	Runbeck	Williams
Cooper	Kelly	Olson, E.	Sarna	Winter
Dauner	Kelso	Omann	Scheid	Spk. Vanasek
Dawkins	Kinkel	Orenstein	Seaberg	
Dille	Kostohryz	Osthoff	Segal	
Dorn	Krueger	Ostrom	Simoneau	

Those who voted in the negative were:

Abrams	Hartle	Knickerbocker	Onnen	Valento
Blatz	Haukoos	Limmer	Pauly	Waltman
Burger	Heap	Lynch	Richter	Weaver
Dempsey	Himle	McDonald	Schafer	
Forsythe	Jennings	Miller	Schreiber	
Frerichs	Johnson, R.	Olsen, S.	Tjornhom	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

H. F. No. 2, A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 1988, section 580.04, as amended; Laws 1989, chapters 282, article 2, section 85; 304, section 140; 328, article 3, section 13, subdivisions 1 and 4; 335, article 4, section 109,

subdivision 1; and 340, article 1, section 17; repealing Laws 1989, chapter 209, article 1, section 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the Special Session sine die.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTIONS AND RESOLUTIONS

Long moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1989 Special Session, for today, Friday, September 29, 1989, and that he be authorized to include in the Journal for today any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. The motion prevailed.

Long moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1989 Special Session sine die. The motion prevailed.

Bennett moved that the name of Schreiber be added as an author on H. F. No. 19. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members of the Minnesota House of Representatives do hereby protest and dissent the recent actions of the DFL leadership which barred the public, the media, and the minority caucus from participation in negotiating the compromise Property Tax Reform Bill of 1989.

Ten Democrats and zero Republicans were appointed on May 4, 1989, to the Tax Conference Committee that reconciled the Omnibus Tax Bill. The bill was vetoed June 2 but ultimately formed the core of the compromise Tax Bill introduced in the September 27 Special Session.

On August 18, a "Reconciliation Team" was appointed in which Republicans were outnumbered 20 to 4. During seven meetings and

20 hours of discussion, public testimony and efforts by Republicans to discuss tax reform goals were squelched.

From September 19 to September 22, House Speaker Bob Vanasek, House Majority Leader Dee Long, Senate Majority Leader Roger Moe, Senate Tax Committee Chair Douglas Johnson, and Governor Rudy Perpich met to negotiate differences in the vetoed bill and the Governor's proposal. The public was barred from the meetings. The news media was barred from the meetings. Republican leaders were barred from the meetings. However, two paid lobbyists were summoned into the meetings in the early morning of September 22, and an agreement was subsequently reached.

We hereby protest the actions of the leaders of the House, Senate, and Governor's office—all under control by the same political party—to conspire to negotiate a major bill but bar the public, media, and minority caucus from the negotiating process.

The closed-door, one-party meetings were followed with an attempt to ramrod the Tax Bill through the special legislative session. The 397-page bill was made available to legislators on September 25, and DFL leadership unsuccessfully attempted to suspend the Rules in order to pass it in a one-day session on September 27. The hasty timetable leaves insufficient time for legislators of either political party to adequately research the bill and leaves virtually no opportunity for the public and local officials to study its impact and comment publicly on it.

These actions, born forth from the arrogance of a one-party system, clearly run contrary to the principles of an open, representative democracy, and contrary to Minnesota's tradition of clean and honest government.

Signed:

K. J. McDonald
Harriet McPherson
Gary Schafer
Douglas Swenson
Jim Girard
Eileen Tompkins
Joyce Henry
Mary Forsythe
Dick Pellow
Don Frerichs
Don Richter
Steve Dille
Gil Gutknecht
Tony Onnen
Dennis J. Poppenhagen

Linda Runbeck
Bob Haukoos
Charlie Weaver
Marcus Marsh
Art Seaberg
Donald J. Valento
Steve Sviggum
David B. Gruenes
Dean Hartle
Howard Miller
Terry Dempsey
Brad Stanius
Jerry Knickerbocker
Ben Boo
Bob Waltman

Elton Redalen
 Warren E. Limmer
 Tony Bennett
 Bernie Omann
 Connie Morrison
 John Himle
 Sylvester Uphus
 Sidney Pauly
 Dave Bishop
 Sally Olsen
 Marcel Frederick.

Jim Heap
 Teresa Lynch
 Bill Macklin
 John Burger
 Kathleen Blatz
 Chris Tjornhom
 Gene Hugoson
 Ron Abrams
 Virgil Johnson
 Bill Schreiber

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we, the undersigned members of the Minnesota House of Representatives, do hereby protest and dissent the contention by the House Republican minority that the public, the media, and the minority caucus were barred from participation in negotiating the compromise Property Tax Reform Bill of 1989, and we protest the fact that Republicans, while in control of the House during 1985 and 1986, banned the public, the media, and the minority caucus from input on major tax and budget bills.

The vetoed tax bill, which formed the core of the compromise tax bill, received five months of public hearings and public testimony prior to passage. The media, public, House minority caucus, Senate, and Executive Branch were all involved in the formulation of the 1989 regular session tax bill. In addition, the compromise tax bill presented in Special Session received over 119 hours of public testimony, minority caucus participation, and media coverage between the House, the Senate, and the Governor's Office during 36 meetings held from June to September, 1989. In addition, the House DFL held six teleconferences and six press conferences and press briefings on taxes from June to September, 1989, plus innumerable interviews with individual representatives of the media.

The Republican minority caucus in the House and/or Senate had access to and were allowed input in the following:

Governor's Hearings: 20 hours (10 meetings)
 House Ways and Means Meeting: 3 hours
 House Appropriations Meeting: 3 hours
 House Tax Committee on Governor's Veto and Proposal:
 9 hours (3 meetings)
 Winona/Rochester Tax Meetings: 3 hours
 Winona Town Meeting: 3 hours (including questions following
 meeting)

Senate Tax Hearings: 6 hours (2 meetings)
House/Senate Reconciliation Team: 21 hours (7 meetings)
Reconciliation Team Working Groups: 20 hours (5 meetings)
House Tax and Appropriations Meetings (9/25-9/28):
21 hours (4 meetings)
Senate Tax Meetings (9/25-9/28): 6 hours (3 meetings)
Meetings Between House DFL and IR Leaders on the tax bill:
4 hours

During the week of Special Session and following the introduction of the compromise tax bill, 27 hours of public meetings were held in the House and Senate during which time minority caucuses in both bodies received copies of the bill and were allowed to introduce amendments.

Therefore, the House Majority made every effort to include Minority Party and public input and media access, and the contents of and the bipartisan vote on the compromise tax bill demonstrate this fact.

In contrast, we protest the House Republican process of closed government and the process by which they offered tax and budget bills during the 1985 and 1986 sessions while they controlled the House.

The Republican tax bill in 1985 was pushed through after closed door sessions and "no effort to conduct public negotiations" (St. Paul Pioneer Press, 6/85). The minority (DFL members) did not receive a copy of the bill until Thursday, June 20, 1985, the day the floor vote was taken, and even then, copies were given to every other member only.

During 1986, the Republican Budget Balancing Bill was conceived in the dead of night on a legal holiday, with no public, media, or minority participation, although the bill made major changes in public services and the operation of state government and made 30 percent reductions in income maintenance payments to poor children and the disadvantaged.

We also protest objections by the minority party to legislative sessions held around the state which encourage public input and access and the Republican rejection of a DFL amendment to permit public testimony on all bills before committees in 1986. We believe these objections are contrary to their supposed adherence to open government and representative democracy.

The House majority party thus protests the false statements made by the House minority party.

Signed:

Dee Long
 Don Ostrom
 Loren A. Solberg
 Andy Steensma
 Paul A. Ogren
 Tony Kinkel
 Kathleen Vellenga
 Bob Johnson
 Bernie Lieder
 Jerry R. Janezich
 Patrick Beard
 John Sarna
 Bob Milbert
 Ann H. Rest
 Joseph R. Begich
 Joel Jacobs
 Todd Otis
 Wes Skoglund
 Len Price
 Joe Quinn
 John Dorn
 Howard Orenstein
 Steven C. Trimble
 Marvin Dauner
 Jeff Bertram
 Mike Jaros
 Wally Sparby
 Bob McEachern
 Wayne Simoneau
 Andy Dawkins
 Mary Murphy
 Peter G. Rodosovich
 Alan Welle
 Richard Jefferson
 Jerome Peterson
 Ted Winter
 Willard Munger

Jean Wagenius
 Henry J. Kalis
 Gene Pelowski
 Edgar Olson
 Kris Hasskamp
 Sandra L. Pappas
 Clair L. Nelson
 Diane Wray Williams
 Richard A. Krueger
 Jeff Conway
 Alice Johnson
 Mary Jo McGuire
 Tom Osthoff
 Tom Rukavina
 Lee Greenfield
 Harold Lasley
 Leo Reding
 Dick Kostohryz
 Rich O'Connor
 Lyndon R. Carlson
 Phyllis Kahn
 Steve Wenzel
 Roger Cooper
 Tom Pugh
 Jerry J. Bauerly
 Randy Kelly
 Ken Nelson
 David P. Battaglia
 Loren Jennings
 Glen H. Anderson
 Phil Carruthers
 Charles Brown
 Peter McLaughlin
 Bob Neuenschwander
 Becky Kelso
 Gloria Segal
 Jim Rice

MOTION TO ADJOURN SPECIAL SESSION SINE DIE

Long moved that the House adjourn sine die for the 1989 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1989 Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives