

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION—1991

NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 31, 1991

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 Delton Krueger, Pastor related to Hillcrest United Methodist Church, Bloomington, Minnesota.

The roll was called and the following members were present:

Anderson, I.	Frerichs	Knickerbocker	Olsen, S.	Smith
Anderson, R.	Garcia	Koppendrayner	Olson, E.	Solberg
Anderson, R. H.	Girard	Krinkie	Olson, K.	Sparby
Battaglia	Goodno	Krueger	Omann	Stanisus
Bauerly	Greenfield	Lasley	Onnen	Steensma
Beard	Gruenes	Leppik	Orenstein	Swiggum
Begich	Gutknecht	Lieder	Orfield	Swenson
Bertram	Hanson	Limmer	Osthoff	Thompson
Bettermann	Hartle	Long	Ostrom	Tompkins
Bishop	Hasskamp	Lourey	Ozment	Trimble
Blatz	Haukoos	Lynch	Pauly	Tunheim
Bodahl	Hausman	Macklin	Pellow	Uphus
Boo	Henry	Mariani	Pelowski	Valento
Brown	Hufnagle	Marsh	Peterson	Vellenga
Carlson	Hugoson	McEachern	Pugh	Wagenius
Carruthers	Jacobs	McGuire	Reding	Waltman
Clark	Janezich	McPherson	Rest	Weaver
Cooper	Jaros	Milbert	Rice	Wejcman
Dauner	Jefferson	Morrison	Rodosovich	Welker
Dawkins	Jennings	Munger	Rukavina	Welle
Dempsey	Johnson, A.	Murphy	Runbeck	Wenzel
Dille	Johnson, V.	Nelson, K.	Sarna	Winter
Dorn	Kahn	Nelson, S.	Schafer	Spk. Vanasek
Erhardt	Kalis	Newinski	Scheid	
Farrell	Kelso	O'Connor	Schreiber	
Frederick	Kinkel	Ogren	Skoglund	

A quorum was present.

Abrams; Johnson, R.; Seaberg; Segal and Simoneau were excused.

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

Vellenga from the Committee on Judiciary to which was referred:

H. F. No. 54, A bill for an act relating to juries; requiring persons who are 75 years or older and impaired to be excused from jury service upon request; proposing coding for new law in Minnesota Statutes, chapter 593.

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. No. 54 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Welle, Ogren, Vanasek, Jacobs and Blatz introduced:

H. F. No. 141, A bill for an act relating to taxation; exempting certain planting services from the sales tax; providing that certain sales of shrubbery, trees, plants, and sod are treated as contracts for the improvement of real property; amending Minnesota Statutes 1990, section 297A.01, subdivisions 3 and 4.

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

Gutknecht, Boo, Bishop and Gruenes introduced:

H. F. No. 142, A bill for an act relating to education; extending the rural physician loan forgiveness program to those beyond the first year of residency.

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

Greenfield; Simoneau; Anderson, R.; Clark and Skoglund introduced:

H. F. No. 143, A bill for an act relating to appropriations; removing certain directions, limits, and provisos on the use of money for certain projects; amending Laws 1990, chapter 610, article 1, section 9, subdivision 1.

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

Greenfield, Segal, Kahn, Vellenga and Anderson, R., introduced:

H. F. No. 144, A bill for an act relating to probate; adopting the uniform anatomical gift act (1987); correcting cross-references; amending Minnesota Statutes 1990, sections 65B.44, subdivision 4; 171.07, subdivision 5; 390.36; and 525.921, subdivisions 1, 4, 5, 8, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 525; repealing Minnesota Statutes 1990, sections 525.921, subdivision 2; and 525.922 to 525.94.

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

Wagenius, Bauerly, Vellenga, Ozment and Solberg introduced:

H. F. No. 145, A bill for an act relating to education; moving up the requirement for compulsory education to age 18 from the year 2000 to next school year; amending Minnesota Statutes 1990, sections 120.101, subdivisions 5 and 9; 123.35, subdivision 8; and 260.015, subdivision 19.

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

O'Connor, Sarna, Farrell, Morrison and McEachern introduced:

H. F. No. 146, A bill for an act relating to commerce; regulating real estate closings; prohibiting real estate brokers or salespersons from requiring the use of particular closing agents; requiring certain disclosures in listing agreements; amending Minnesota Statutes 1990, section 82.19, by adding a subdivision.

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

Morrison, Greenfield, Seaberg, Simoncau and Leppik introduced:

H. F. No. 147, A bill for an act relating to civil procedure; providing that no filing fee be charged for issuance of domestic abuse orders for protection; amending Minnesota Statutes 1990, section 518B.01, by adding a subdivision.

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

Dawkins, Bishop and Ogren introduced:

H. F. No. 148, A bill for an act relating to probate; increasing the limit on an estate subject to collection of personal property by affidavit; amending Minnesota Statutes 1990, section 524.3-1201.

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

Omann introduced:

H. F. No. 149, A bill for an act relating to capital improvements; authorizing state bonds for maximum effort school loans for certain school districts; appropriating money.

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

Omann introduced:

H. F. No. 150, A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of credit for certain United States Merchant Marine service; requiring an employer purchase payment from the Winnebago school district.

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

Valento introduced:

H. F. No. 151, A bill for an act relating to the city of Maplewood; providing an exception from the police civil service system for the chief of police.

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

Olson, E., introduced:

H. F. No. 152, A bill for an act relating to taxation; allowing Mahnomen county and the city of Mahnomen to make special levies for the Mahnomen county hospital; amending Minnesota Statutes 1990, section 275.50, subdivision 5a.

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

Morrison and Sarna introduced:

H. F. No. 153, A bill for an act relating to commerce; regulating real estate appraisers; authorizing the commissioner of commerce to issue temporary licenses.

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

Scheid, Bishop, Milbert, Solberg and Farrell introduced:

H. F. No. 154, A bill for an act relating to the Uniform Commercial Code; enacting conforming amendments proposed by the Uniform Laws Conference; proposing changes to articles relating to leases and bulk sales; amending Minnesota Statutes 1990, sections 336.1-105; 336.2-403; 336.2A-103; 336.2A-209; 336.2A-303; 336.2A-304; 336.2A-307; 336.2A-309; 336.2A-407; 336.2A-501; 336.2A-503; 336.2A-508; 336.2A-516; 336.2A-517; 336.2A-518; 336.2A-519; 336.2A-523; 336.2A-525; 336.2A-527; 336.2A-528; 336.2A-529; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1990, sections 336.6-101 to 336.6-111; and 336.9-111.

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

Bishop, Brown, Wagenius, Kalis and Gutknecht introduced:

H. F. No. 155, A bill for an act relating to traffic regulations; authorizing immediate towing of certain unlawfully parked vehicles; amending Minnesota Statutes 1990, section 169.041, subdivision 4.

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

Jacobs, McEachern, Rukavina, Runbeck and Ozment introduced:

H. F. No. 156, A bill for an act relating to labor; regulating employment of children; establishing a child labor curfew; providing penalties; amending Minnesota Statutes 1990, sections 181A.04, by adding a subdivision; and 181A.12.

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

Lieder; Olson, E.; Dauner and Morrison introduced:

H. F. No. 157, A bill for an act relating to the city of Crookston; permitting the establishment of special service districts in the city of Crookston.

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

Begich, Rukavina, Sarna, Beard and Ogren introduced:

H. F. No. 158, A bill for an act relating to dislocated workers; revoking the sunset provision on the dislocated worker fund; repealing Laws 1990, chapter 568, article 6, section 4.

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

Steensma, Lourey, Waltman, Dauner and Cooper introduced:

H. F. No. 159, A bill for an act relating to transportation; authorizing department of transportation to assist towns in financing engineering and approach work for bridge projects under certain conditions; amending Minnesota Statutes 1990, section 161.39, subdivision 5.

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

Munger, Wagenius, Kahn, Ozment and Bishop introduced:

H. F. No. 160, A bill for an act relating to the environment; recognizing the hydrological cycle of water purification through the atmosphere; establishing a list of toxic air pollutants; requiring the pollution control agency to monitor toxic emissions and to require reductions of toxic air emissions; requiring mercury emission reduc-

tions; requiring reports to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Solberg introduced:

H. F. No. 161, A bill for an act relating to the city of Nashwauk; authorizing an increase in benefits payable to surviving spouses by the police relief association; amending Laws 1943, chapter 196, section 4, as amended.

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

Carlson, Pugh, Henry, Hanson and Newinski introduced:

H. F. No. 162, A bill for an act relating to regulation of dangerous dogs; providing for designation of a warning symbol to inform children of the presence of a dangerous dog; amending Minnesota Statutes 1990, section 347.51, by adding a subdivision.

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

Solberg; Anderson, I.; Kinkel and Johnson, R., introduced:

H. F. No. 163, A bill for an act relating to education; increasing secondary sparsity revenue; amending Minnesota Statutes 1990, section 124A.22, subdivision 6.

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

Solberg; Anderson, I.; Kinkel and Johnson, R., introduced:

H. F. No. 164, A bill for an act relating to education; changing the computation of AFDC pupil units; amending Minnesota Statutes 1990, section 124.17, subdivision 1b.

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

Bishop, Vellenga, Solberg, Kahn and Limmer introduced:

H. F. No. 165, A bill for an act relating to judicial procedures; changing provisions relating to public defense; amending Minnesota Statutes 1990, sections 383B.32, subdivision 2; 383B.63, subdivision 6; 611.215; 611.23; 611.24; 611.26; 611.263; repealing Minnesota Statutes 1990, sections 383B.63, subdivision 1; 611.215, subdivision 4; 611.261; and Laws 1989, chapter 335, article 3, section 38.

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

Begich, Jacobs, Ogren, Trimble and O'Connor introduced:

H. F. No. 166, A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 1990, section 177.24, subdivision 1.

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

Segal and Greenfield introduced:

H. F. No. 167, A bill for an act relating to state government; providing for selection of the chair of the advisory council on mental health; appropriating money; amending Minnesota Statutes 1990, section 245.697, subdivision 1.

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

Gutknecht, Bishop, Ogren, Long and Schreiber introduced:

H. F. No. 168, A bill for an act relating to the city of Rochester; permitting the imposition of certain taxes within the city; permitting the issuance of general obligation bonds for fire station, city hall, and public library facilities.

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

Rodosovich; Anderson, R. H.; Hartle; Olson, K., and Kalis introduced:

H. F. No. 169, A resolution memorializing the Board of Regents of the University of Minnesota to postpone its decision on whether to close the Waseca campus.

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

Begich; Munger; Rukavina; Anderson, I., and Winter introduced:

H. F. No. 170, A bill for an act relating to environment; limiting the application of pesticides; proposing coding for new law in Minnesota Statutes, chapter 18B.

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

Simoneau, O'Connor, Knickerbocker and Lourey introduced:

H. F. No. 171, A bill for an act relating to animals; changing disposition of certain seized animals; amending Minnesota Statutes 1990, section 35.71, subdivision 3.

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

Johnson, A.; Milbert; Clark; Runbeck and Blatz introduced:

H. F. No. 172, A bill for an act relating to manufactured home parks; providing for notice and right to purchase for conversion or the closing of a park under certain circumstances; amending Minnesota Statutes 1990, section 327C.095, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 327C.

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

Rukavina, Garcia and Jaros introduced:

H. F. No. 173, A bill for an act relating to the University of Minnesota; changing the structure of certain bargaining units; amending Minnesota Statutes 1990, section 179A.11, subdivision 1.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Clark, Beard, Begich, Hausman and Welle introduced:

H. A. No. 2, A proposal to evaluate Veterans Administration Medical Centers.

The advisory was referred to the Committee on Health and Human Services.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 47, A bill for an act relating to financing of government in this state; reducing appropriations for the biennium ending June 30, 1991, with certain conditions; providing for transfer of certain money in the state treasury; appropriating money for a deficiency in income maintenance appropriations; transferring certain balances in the Minnesota resources fund to the general fund; canceling certain balances to the general fund; eliminating the motor vehicle excise tax transfer from the general fund for highway purposes; transferring balances in the transit assistance fund to the general fund; transferring funds from the Greater Minnesota Corporation fund balance to the general fund; transferring receipts from the infrastructure development fund to the general fund; providing for an employee-leave-without-pay program; reducing calendar year 1991 state aid payments to local units of government; amending Minnesota Statutes 1990, sections 16B.70, subdivision 1; 477A.011, subdivisions 27, 28, and by adding a subdivision; 477A.012, subdivision 1, and by adding a subdivision; 477A.013, subdivisions 1, 3, and by adding a subdivision; and 477A.014, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 477A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CALENDAR

H. F. No. 14, A resolution expressing support for the President and

our armed forces in the conflict with Iraq; urging support for military families in the United States, and calling on the governor to declare a day of prayer for peace.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Frerichs	Koppendrayer	Olsen, S.	Skoglund
Anderson, R.	Garcia	Krinkie	Olson, E.	Smith
Anderson, R. H.	Girard	Krueger	Olson, K.	Solberg
Battaglia	Goodno	Lasley	Omann	Sparby
Bauerly	Gruenes	Leppik	Onnen	Stanius
Beard	Gutknecht	Lieder	Orenstein	Steensma
Begich	Hanson	Limmer	Osthoff	Svigum
Bertram	Hartle	Long	Ostrom	Swenson
Bettermann	Hasskamp	Lourey	Ozment	Thompson
Bishop	Haukoos	Lynch	Pauly	Tompkins
Blatz	Henry	Macklin	Pellow	Tunheim
Bodahl	Hufnagle	Marsh	Pelowski	Uphus
Boo	Hugoson	McEachern	Peterson	Valento
Carlson	Jacobs	McGuire	Pugh	Wagenius
Carruthers	Janezich	McPherson	Reding	Waltman
Cooper	Jefferson	Milbert	Rest	Weaver
Dauner	Jennings	Morrison	Rice	Welker
Dempsey	Johnson, A.	Murphy	Rodosovich	Welle
Dille	Johnson, V.	Nelson, K.	Runbeck	Wenzel
Dorn	Kalis	Nelson, S.	Sarna	Winter
Erhardt	Kelso	Newinski	Schafer	Spk. Vanasek
Farrell	Kinkel	O'Connor	Scheid	
Frederick	Knickerbocker	Ogren	Schreiber	

Those who voted in the negative were:

Clark	Greenfield	Jaros
Dawkins	Hausman	Kahn

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendation of the Committee was reported to the House:

H. F. No. 57 was recommended to pass.

On the motion of Long the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Hausman moved that her name be stricken as an author on H. F. No. 14. The motion prevailed.

Schafer moved that the name of Frederick be added as an author on H. F. No. 119. The motion prevailed.

Sviggum moved that the name of Runbeck be added as an author on H. F. No. 138. The motion prevailed.

Osthoff moved that the name of Farrell be added as an author on H. F. No. 140. The motion prevailed.

Bauerly moved that the following statement be printed in the permanent Journal of the House:

“It was my intention to vote in the negative on Monday, January 28, 1991, when the vote was taken on the first portion of the Hausman et al amendment to the Ogren et al amendment to H. F. No. 14.” The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Judiciary/Criminal Justice Division: Add the name of Limmer and remove the name of Welker.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 4, 1991. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 4, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives