

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION—1991

TWELFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 11, 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 Pastor Dan Dimick, Faith Lutheran Church, Staples, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Hugoson and Lynch were excused.

The Chief Clerk proceeded to read the Journal of the preceding

day. Schreiber 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

McEachern from the Committee on Education to which was referred:

H. F. No. 73, A bill for an act relating to education; eliminating the deduction for one year's interest payments from the proceeds of state bonds for maximum effort school loans; amending Minnesota Statutes 1990, section 124.46, subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1990, section 124.40, subdivision 1, is amended to read:

Subdivision 1. There is hereby appropriated to the fund, in addition to all sums which have been or may hereafter be appropriated thereto by any law, the net proceeds of sale of any state school loan bonds authorized to be issued under section 124.46, and all income received from the investment of said net proceeds, ~~after deducting from the aggregate proceeds of sale the amount which is required by section 124.46, subdivision 3 to be credited and~~ is hereby appropriated to the school loan bond account in the state bond fund."

Page 2, after line 21, insert:

"Sec. 3. Minnesota Statutes 1990, section 124.477, is amended to read:

124.477 [BOND ISSUE; MAXIMUM EFFORT SCHOOL LOANS; 1988.]

To provide money to be loaned to school districts as agencies and political subdivisions of the state to acquire and to better public land and buildings and other public improvements of a capital nature, in the manner provided by the maximum effort school aid law, the commissioner of finance shall issue and sell school loan bonds of the state of Minnesota in the maximum amount of \$22,000,000, in addition to the bonds already authorized for this purpose. The same amount is appropriated to the maximum effort school loan fund and must be spent under the direction of the commissioner of education to make debt service loans and capital loans to school districts as

provided in sections 124.36 to 124.47. The bonds must be issued and sold and provision for their payment must be made according to section 124.46. For bonds sold prior to January 1, 1991, enough money to pay interest on the bonds to and including July 1 in the second year after the date of issue must be credited from the bond proceeds to the school loan bond account in the state bond fund. Expenses incidental to the sale, printing, execution, and delivery of the bonds, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for those purposes, must be paid from the maximum effort school loan fund, and the money necessary for the expenses is appropriated from that fund."

Page 2, line 23, delete "Section 1 is" and insert "Sections 1 to 3 are"

Renumber sections in sequence

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 124.40, subdivision 1;" and before the period insert "; and 124.477"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

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.

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. 153 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hasskamp introduced:

H. F. No. 264, A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.

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

Blatz, Carruthers, Weaver and Macklin introduced:

H. F. No. 265, A bill for an act relating to torts; providing immunity against tort liability for any school district which is unable to obtain insurance for claims relating to asbestos or hazardous waste; amending Minnesota Statutes 1990, section 466.06.

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

Peterson, Cooper, Vanasek, Kalis and Dille introduced:

H. F. No. 266, A bill for an act relating to motor fuels; changing the payment for ethanol production; providing that gasoline sold in Minnesota must be blended with ethanol; amending Minnesota Statutes 1990, sections 41A.09, subdivision 3; and 239.76, by adding a subdivision; repealing Minnesota Statutes 1990, section 41A.09, subdivision 6.

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

Kalis, Schafer, Dauner, Cooper and Uphus introduced:

H. F. No. 267, A bill for an act relating to motor vehicles; exempting from commercial vehicle inspection requirements and hazardous material driver's license endorsement requirements, pickup trucks carrying certain quantities of petroleum products or liquid fertilizer; reducing the minimum size of fleets of commercial vehicles permitted to conduct self-inspections; providing for the issuance of commercial vehicle inspection decals to vehicles manu-

factured before January 1, 1976; limiting the authority of agents of the commissioner of transportation to inspect vehicles; delaying effective date of requirement that all commercial vehicles bear a commercial vehicle inspection decal; amending Minnesota Statutes 1990, sections 169.781, subdivisions 1, 3, and 5; and 171.02, by adding a subdivision; Laws 1990, chapter 563, section 11; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Anderson, I., introduced:

H. F. No. 268, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing for a unicameral legislature of 101 to 135 representatives.

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

Carruthers, Orenstein, Ogren, Boo and Lourey introduced:

H. F. No. 269, A bill for an act relating to health; health maintenance organizations; providing coverage for chiropractic care; amending Minnesota Statutes 1990, sections 62D.02, subdivision 7; 62D.102; and 62D.12, by adding a subdivision.

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

Janezich; Boo; Anderson, I., and Hanson introduced:

H. F. No. 270, A bill for an act relating to counties; providing for the contents and public availability of the county financial statement; amending Minnesota Statutes 1990, section 375.17.

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

Scheid, Lasley, Bauerly, Runbeck and Bettermann introduced:

H. F. No. 271, A bill for an act relating to education; equalizing a portion of the debt service levy; limiting the referendum levy; equalizing a portion of the referendum levy; changing the training and experience formula; equalizing training and experience reve-

nue; appropriating money; amending Minnesota Statutes 1990, sections 124A.03, by adding subdivisions; 124A.22, subdivision 4, by adding subdivisions; and 275.125, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 124 and 124A.

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

Ogren introduced:

H. F. No. 272, A bill for an act relating to retirement; public employees retirement association; authorizing a certain member to purchase prior service credit.

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

Ogren introduced:

H. F. No. 273, A bill for an act relating to retirement; allowing a certain public employees retirement association annuitant to repay amounts received and resume active member status.

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

Sparby, O'Connor, Sarna, Dempsey and Kinkel introduced:

H. F. No. 274, A bill for an act relating to commerce; motor vehicle sales and distribution; regulating franchises; proscribing certain acts; providing remedies; amending Minnesota Statutes 1990, sections 80E.03, subdivision 2; 80E.04, subdivision 1; 80E.05; 80E.06, subdivision 2; 80E.07, subdivision 1; 80E.12; 80E.13; and 80E.14, by adding subdivisions.

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

Farrell, Sarna, Kinkel, Dempsey and Milbert introduced:

H. F. No. 275, A bill for an act relating to commerce; prohibiting the unlawful assignment of certain motor vehicle contracts; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Orfield, Bertram, Winter, Gruenes and Skoglund introduced:

H. F. No. 276, A bill for an act relating to insurance; accident and health; prohibiting the nondiagnostic use of X-rays; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Cooper, McEachern and Bauerly introduced:

H. F. No. 277, A bill for an act relating to education; providing for operating fund deficits in certain cases involving certain cooperating and combining districts; amending Minnesota Statutes 1990, section 124.2725, by adding a subdivision.

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

Rukavina; Jaros; Lieders; Anderson, R. H., and Murphy introduced:

H. F. No. 278, A bill for an act relating to education; changing the dedication of the use of 25 percent of the income of the permanent university fund; amending Minnesota Statutes 1990, section 137.022, subdivision 3.

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

Olsen, S.; Anderson, I.; Ozment; Wagenius and Munger introduced:

H. F. No. 279, A bill for an act relating to the environment; authorizing the city of Hopkins to issue bonds to pay for environmental response costs at a landfill; authorizing the city to impose a solid waste collection surcharge; authorizing a landfill cleanup assessment against property; authorizing a service charge; appropriating money.

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

Olson, K.; Hugoson and McEachern introduced:

H. F. No. 280, A bill for an act relating to education; modifying the

definition of fund balance pupil units; amending Minnesota Statutes 1990, section 124A.26, subdivision 1.

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

Hanson, Bodahl and Nelson, K., introduced:

H. F. No. 281, A bill for an act relating to taxation; property; reducing the class rate applied to certain homesteads; amending Minnesota Statutes 1990, section 273.13, subdivision 22.

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

Cooper and Kalis introduced:

H. F. No. 282, A bill for an act relating to public utilities; exempting from prior rate regulation gas utilities that have 650 or fewer customers in any one municipality and a total of 2,000 or fewer customers; amending Minnesota Statutes 1990, section 216B.16, by adding a subdivision.

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

Girard, Jennings, Bertram, Schafer and Dille introduced:

H. F. No. 283, A bill for an act relating to workers' compensation; providing a new general system of law for the compensation of employment related injuries; providing rights, duties, and remedies; providing for administration and procedure; permitting adoption of administrative rules; proposing coding for new law as Minnesota Statutes, chapter 176C.

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

Uphus, Haukoos, Ozment, Waltman and Macklin introduced:

H. F. No. 284, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, limiting the term of consecutive service of persons to ten consecutive years in the legislature.

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

Carruthers, Wagenius, Blatz, Swenson and Orenstein introduced:

H. F. No. 285, A bill for an act relating to traffic regulations; providing misdemeanor penalties for persons who refuse to submit to a chemical test to determine if the person is under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1990, sections 169.121, subdivisions 1a, 3, and 3b; and 169.123, subdivision 2.

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

Blatz, Hasskamp and Macklin introduced:

H. F. No. 286, A bill for an act relating to negligence; volunteers; providing volunteers immunity from civil liability for injuries arising from volunteer activities; proposing coding for new law in Minnesota Statutes, chapter 604.

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

Morrison; Kelso; McEachern; Nelson, K., and Macklin introduced:

H. F. No. 287, A bill for an act relating to education; granting the attorney general's office access to certain private data; requiring certain licensing boards to consider revoking the license of a licensee convicted of certain felonies involving a minor; exempting licensing of the board of teaching and the state board of education from certain requirements with respect to the rehabilitation of criminal offenders; amending Minnesota Statutes 1990, sections 125.09, subdivision 4; 214.10, by adding a subdivision; 364.09; and 631.40.

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

Olson, E.; Dempsey; Olson, K.; Welle and Pellow introduced:

H. F. No. 288, A bill for an act relating to motor carriers; changing definitions of regular route common carrier and irregular route common carrier; amending Minnesota Statutes 1990, section 221.011, subdivisions 9 and 11.

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

Skoglund introduced:

H. F. No. 289, A bill for an act relating to insurance; accident and health; establishing minimum loss ratios for certain noncomprehensive policies; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Ogren, Dempsey, Vanasek and Welle introduced:

H. F. No. 290, A bill for an act relating to state employees; allowing state employees to donate accrued sick leave for the benefit of another state employee; amending Minnesota Statutes 1990, section 43A.181.

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

Sarna introduced:

H. F. No. 291, A bill for an act relating to local government; authorizing the city of Minneapolis and special school district No. 1 to impose residency requirements.

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

CONSENT CALENDAR

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 and village hospital; amending Minnesota Statutes 1990, section 275.50, subdivision 5a.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams
Anderson, I.

Anderson, R.
Anderson, R. H.

Battaglia
Bauerly

Beard
Begich

Bertram
Bettermann

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

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. 82 was recommended to pass.

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

MOTIONS AND RESOLUTIONS

Welle moved that the name of Bertram be added as an author on H. F. No. 74. The motion prevailed.

Orenstein moved that the name of Smith be added as an author on H. F. No. 186. The motion prevailed.

Uphus moved that the name of Haukoos be added as an author on H. F. No. 210. The motion prevailed.

Kinkel moved that the name of Wenzel be added as an author on H. F. No. 224. The motion prevailed.

Wejcman moved that the name of Clark be added as an author on H. F. No. 238. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Agriculture: Add the name of Olson, K.

Education: Add the name of Heir.

Education/Higher Education Division: Add the names of Heir and McEachern.

Energy: Add the name of Heir.

Housing: Add the name of Heir.

Judiciary: Add the name of Thompson and remove the name of Murphy.

Regulated Industries: Add the names of Heir and Beard.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, February 14, 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., Thursday, February 14, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives