

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION — 1992

FIFTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 6, 1992

The House of Representatives convened at 2:00 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Doctor Gary Reiersen, Executive Director of the Greater Minneapolis Council of Churches, Minneapolis, Minnesota.

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

Speaker Vanasek introduced the new House member, Rich Krambeer, from District 47A and announced that he had previously been administered the oath of office and that his election certificate was on file. He was elected in an election held on December 17, 1991, to replace Linda Scheid whose resignation was effective on January 1, 1992.

The roll was called and the following members were present:

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

The nomination was seconded by Munger; Anderson, I., and Vellenga.

The name of Knickerbocker was placed in nomination by Abrams. The nomination was seconded by Dempsey.

There being no further nominations, the Speaker declared the nominations closed.

The clerk called the roll on the election of a Speaker.

The following members of the House voted for Long:

Anderson, I.	Garcia	Krueger	Olson, K.	Skoglund
Battaglia	Greenfield	Lasley	Orenstein	Solberg
Bauerly	Hanson	Lieder	Orfield	Sparby
Beard	Hasskamp	Long	Osthoﬀ	Steensma
Begich	Hausman	Lourey	Ostrom	Thompson
Bertram	Jacobs	Mariani	Pelowski	Trimble
Bodahl	Janezich	McEachern	Peterson	Tunheim
Brown	Jaros	McGuire	Pugh	Vellenga
Carlson	Jefferson	Milbert	Reding	Wagenius
Carruthers	Jennings	Munger	Rest	Wejcmán
Clark	Johnson, A.	Murphy	Rice	Welle
Cooper	Johnson, R.	Nelson, K.	Rodosovich	Wenzel
Dauner	Kahn	Nelson, S.	Rukavina	Winter
Dawkins	Kalis	O'Connor	Sarna	Spk. Vanasek
Dorn	Kelso	Ogren	Segal	
Farrell	Kinkel	Olson, E.	Simoneau	

Long received 78 votes.

The following members of the House voted for Knickerbocker:

Abrams	Ferichs	Knickerbocker	Olsen, S.	Svigum
Anderson, R.	Girard	Koppendrayner	Omann	Swenson
Anderson, R. H.	Goodno	Krambeer	Onnen	Tompkins
Bettermann	Gruenes	Krinkie	Ozment	Uphus
Bishop	Gutknecht	Leppik	Pauly	Valento
Blatz	Hartle	Limmer	Pellow	Waltman
Boo	Haukoos	Lynch	Runbeck	Weaver
Davids	Heir	Macklin	Schafer	Welker
Dempsey	Henry	Marsh	Schreiber	
Dille	Hufnagle	McPherson	Seaberg	
Erhardt	Hugoson	Morrison	Smith	
Frederick	Johnson, V.	Newinski	Stanisus	

Knickerbocker received 56 votes.

Dee Long, having received a majority of the votes cast, was declared duly elected Speaker of the House.

Kelso, Jefferson, Thompson, Kahn, Krueger, Pauly and Anderson, R., were appointed to escort the Speaker-elect to the rostrum.

OATH OF OFFICE

The oath of office was administered to Speaker-elect Dee Long by the Honorable Rosalie E. Wahl, Associate Justice of the Minnesota Supreme Court. The Speaker expressed her appreciation for the honor bestowed upon her.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

House File Nos. 1726 through 1739 were pre-filed with the Speaker during the recess, given a file number and unofficially referred to committee pursuant to House Rule 5.11. The following is the official introduction and committee reference:

Rodosovich, for the Committee on Redistricting, introduced:

H. F. No. 1726, A bill for an act relating to technical and other corrections to the legislative redistricting plan; amending Laws 1991, chapter 246.

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

Ogren introduced:

H. F. No. 1727, A bill for an act relating to taxation; sales; modifying the exemption for occasional sales; amending Minnesota Statutes 1990, section 297A.25, subdivision 12, as amended.

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

Rodosovich, for the Committee on Redistricting, introduced:

H. F. No. 1728, A bill for an act relating to elections; changing the boundaries of congressional districts; proposing coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 1990, sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.

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

Morrison, Rice, Clark and Sparby introduced:

H. F. No. 1729, A bill for an act relating to lotteries; regulating the games and contests; restricting the director's authority to conduct games or contests that do not require the purchase of a ticket from a lottery retailer; amending Minnesota Statutes 1990, section 349A.13.

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

Janezich, Munger, Begich, Rukavina and Jaros introduced:

H. F. No. 1730, A bill for an act relating to taxation; exempting certain ships from the sales and use tax; amending Minnesota Statutes 1990, section 297A.25, subdivision 45.

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

Lasley, Boo, Carruthers, Peterson and Ostrom introduced:

H. F. No. 1731, A bill for an act relating to elections; repealing the law requiring Minnesota to hold a presidential primary; repealing Minnesota Statutes 1990, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; and 207A.09.

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

Dempsey introduced:

H. F. No. 1732, A bill for an act relating to life insurance; authorizing policies for the benefit of a charity; proposing coding for new law in Minnesota Statutes, chapter 61A.

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

Schafer, Krinkie and Frederick introduced:

H. F. No. 1733, A bill for an act relating to taxation; exempting occasional sales of tangible personal property primarily used in a trade or business; amending Minnesota Statutes 1991 Supplement, section 297A.25, subdivision 12.

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

Johnson, V.; Dempsey; Waltman; Gruenes and Schafer introduced:

H. F. No. 1734, A bill for an act relating to taxation; exempting occasional sales of tangible personal property primarily used in a trade or business; amending Minnesota Statutes 1991 Supplement, section 297A.25, subdivision 12.

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

Johnson, V.; Dempsey; Waltman; Gruenes and Davids introduced:

H. F. No. 1735, A bill for an act relating to elections; repealing the law requiring Minnesota to hold a presidential primary; repealing Minnesota Statutes 1990, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; and 207A.09.

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

Lieder and Kalis introduced:

H. F. No. 1736, A bill for an act relating to transportation; authorizing the issuance of \$150,000,000 in state transportation bonds; appropriating the proceeds for grants to political subdivisions for bridge construction and reconstruction.

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

Uphus and Omann introduced:

H. F. No. 1737, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; authorizing the death penalty for first degree murder.

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

Vellenga, Wagenius and Blatz introduced:

H. F. No. 1738, A bill for an act relating to family law; modifying the requirements for a person other than a parent who seeks child

custody or visitation; amending Minnesota Statutes 1990, section 518.156, subdivision 1.

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

Pelowski introduced:

H. F. No. 1739, A bill for an act relating to elections; repealing the law requiring Minnesota to hold a presidential primary; repealing Minnesota Statutes 1990, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; and 207A.09.

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

House Files Nos. 1740 through 1761 were not pre-filed pursuant to House Rule 5.11 and were introduced on the 59th legislative day as follows:

Carlson, Long, McGuire, Morrison and Hausman introduced:

H. F. No. 1740, A bill for an act relating to education; University of Minnesota; appropriating money for the institute of technology and system specials.

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

McEachern; Johnson, A.; Jefferson; Simoneau and Bauerly introduced:

H. F. No. 1741, A bill for an act relating to education; increasing funding for early childhood programs; increasing funding for individualized learning and development program; altering the budget reserve; appropriating money; amending Minnesota Statutes 1990, section 124.331, subdivisions 1 and 3; Minnesota Statutes 1991 Supplement, sections 16A.15, subdivision 6; 121.831; 124.2711, subdivisions 3 and 4; and 124.332, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Wenzel; Anderson, I.; Garcia and Osthoff introduced:

H. F. No. 1742, A bill for an act relating to crime; providing for life imprisonment without release for certain persons convicted of first degree murder or repeat violent sex offenses; requiring consecutive sentences for persons convicted of multiple violent crimes; removing the crime of intentional second degree murder from the sentencing guidelines; providing mandatory minimum sentences for persons convicted of second and third degree murder, certain sex offenses, and first degree assault; reducing the good time allowance for violent offenders; granting the attorney general concurrent authority to prosecute felony offenses; expanding the sex offender registration statute; requiring the commissioner of corrections to determine whether a "psychopathic personality" commitment petition should be filed before releasing a sex offender from prison; authorizing bonding for capital improvements; changing penalties for certain prostitution related crimes; appropriating money; amending Minnesota Statutes 1990, sections 8.01; 244.04, subdivisions 1, 3, and by adding a subdivision; 244.05, subdivisions 4, 5, and by adding a subdivision; 609.15, by adding a subdivision; 609.184, subdivision 2; 609.19; 609.195; 609.221; 609.322; 609.323; 609.342, subdivision 2; 609.343, subdivision 2; and 609.346, subdivision 2a; Minnesota Statutes 1991 Supplement, section 243.166, subdivisions 1, 3, and 6.

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

Dempsey introduced:

H. F. No. 1743, A bill for an act relating to family law; child support; providing that a motion pending in district court must be decided by the court before any proceedings may be commenced with an administrative law judge; providing that when certain proceedings are pending in district court, child support matters related to those proceedings must be decided by the district court; amending Minnesota Statutes 1990, section 518.551, subdivision 10.

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

Dempsey introduced:

H. F. No. 1744, A bill for an act relating to retirement; public employees retirement association; providing entitlement for optional annuities to certain surviving spouses of certain deceased disabled persons.

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

Orfield introduced:

H. F. No. 1745, A bill for an act relating to statutes of limitations; enacting the uniform conflict of laws-limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

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

Orfield introduced:

H. F. No. 1746, A bill for an act relating to probate; updating the uniform simultaneous death act; amending Minnesota Statutes 1990, section 525.90.

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

Orfield introduced:

H. F. No. 1747, A bill for an act relating to environment; providing reciprocal access to courts and administrative agencies for injuries caused by transboundary pollution; proposing coding for new law in Minnesota Statutes, chapter 543.

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

Orfield introduced:

H. F. No. 1748, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

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

Blatz introduced:

H. F. No. 1749, A bill for an act relating to drivers' licenses; motorized bicycles; reducing to 14 the minimum age for issuance of motorized bicycle permits and instruction permits; imposing certain requirements on motorized bicycle operators who are age 14; amending Minnesota Statutes 1990, sections 169.974, subdivision 2; and 171.02, subdivision 3; repealing Minnesota Statutes 1990, section 171.05, subdivision 3.

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

Osthoff introduced:

H. F. No. 1750, A bill for an act relating to horse racing; prohibiting pari-mutuel licensees from accepting wagers made by telephone or made on credit; amending Minnesota Statutes 1991 Supplement, section 240.13, subdivision 8.

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

Olsen, S., introduced:

H. F. No. 1751, A bill for an act relating to trade regulations; regulating certain interactive telephone services; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Segal introduced:

H. F. No. 1752, A bill for an act relating to family law; limiting consideration of a physical or mental disability in custody determinations; amending Minnesota Statutes 1990, sections 257.025; and 518.17, subdivision 1.

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

Onnen introduced:

H. F. No. 1753, A bill for an act relating to employment; requiring certain employers to make employee-funded health care premium payments under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Onnen introduced:

H. F. No. 1754, A bill for an act relating to taxation; exempting

occasional sales of tangible personal property primarily used in a trade or business; amending Minnesota Statutes 1991 Supplement, section 297A.25, subdivision 12.

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

Orfield, Stanius, O'Connor, Thompson and Tompkins introduced:

H. F. No. 1755, A bill for an act relating to state purchases; requiring public entities to ensure that documents of historical value are printed on acid-free permanent paper; amending Minnesota Statutes 1991 Supplement, section 16B.122, by adding a subdivision.

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

Jefferson introduced:

H. F. No. 1756, A bill for an act relating to the Minneapolis park and recreation board; providing for two members appointed by the Minneapolis park and recreation board on the Minneapolis reapportionment commission; establishing standards for park board redistricting.

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

Jefferson introduced:

H. F. No. 1757, A bill for an act relating to the city of Minneapolis; regulating the use of the proceeds of the city sales and use tax; permitting their use for school readiness centers; amending Laws 1986, chapter 396, section 4, subdivision 3, as amended.

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

Greenfield, Simoneau and Long introduced:

H. F. No. 1758, A bill for an act relating to human services; temporarily removing the time limit on work readiness assistance.

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

Morrison; Olsen, S.; Frederick and Limmer introduced:

H. F. No. 1759, A bill for an act relating to elections; repealing the law requiring Minnesota to hold a presidential primary; repealing Minnesota Statutes 1990, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; and 207A.09.

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

Anderson, R.; Thompson; Nelson, S., and Dauner introduced:

H. F. No. 1760, A bill for an act relating to elections; repealing the law requiring Minnesota to hold a presidential primary; repealing Minnesota Statutes 1990, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; and 207A.09.

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

Dempsey introduced:

H. F. No. 1761, A bill for an act relating to alcoholic beverages; municipal liquor stores; specifying the conditions under which a municipality is required to hold a public hearing on the question of continued operation of a municipal liquor store; amending Minnesota Statutes 1990, section 340A.602.

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

MESSAGES FROM THE SENATE

The following message from the Senate was in possession of the House when the 1991 Session adjourned.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1174, 1433 and 1562.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1174, A bill for an act relating to water; modifying the definition of once-through system; setting a minimum water use processing fee for water use permits issued for irrigation; amending Minnesota Statutes 1990, sections 103G.005, subdivision 13a; and 103G.271, subdivision 6.

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

S. F. No. 1433, A bill for an act relating to self-insurance; regulating custodial accounts; amending Minnesota Statutes 1990, sections 79A.02, by adding subdivisions; 79A.03, subdivisions 3, 7, and 9; 79A.04, subdivision 2; and 79A.06, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 79A; repealing Minnesota Rules, part 2780.0400, subparts 2, 3, 6, 7, and 8.

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

S. F. No. 1562, A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending Minnesota Statutes 1990, sections 2.031, subdivision 2, as amended; 82B.05, subdivision 1, as amended; 82B.11, subdivision 1, as amended; 82B.17, as amended; 82B.19, subdivision 3, as amended; 92.46, subdivision 1, as amended; 121.11, subdivision 12; 123.3514, subdivision 6, as amended; 124A.03, subdivision 2, as amended; 126.22, subdivision 8, as amended; 136D.90, subdivisions 1 and 2, as amended; 273.13, subdivision 25, as amended; 290.191, subdivision 4; 302A.461, subdivision 2, as amended; 469.101, subdivision 23, as amended; 1991 H.F. No. 719, article 4, section 67, subdivision 1; 1991 S.F. No. 598, article 7, section 9; 1991 H.F. No. 719, article 5, section 72; 1991 H.F. No. 2, article 2, section 7; 1991 H.F. No. 700, article 6, section 67, subdivision 1; 1991 H.F. No. 700, article 1, section 29; 1991 H.F. No. 700, article 4, section 34; 1991 H.F. No. 700, article 6, section 39, subdivision 6; 1991 H.F. No. 700, article 7, section 13, subdivision 1; 1991 H.F. No. 700, article 8, section 20; 1991 H.F. No. 700, article 9, section 33, subdivision 5; 1991 H.F. No. 700, article 9, section 76; Laws 1989, chapter 341, article 1, section 26; Laws 1991, chapter 97, section 15; Laws 1991, chapter 246, sections 4, subdivision 1; 7, subdivision 2; 12, subdivision 1; 17, subdivision 2; 23, subdivision 1; 29, subdivision 2; 31; 34, subdivision 2; 38, subdivision 2; 39, subdivision 2; 40, subdivision 2; 41, subdivision 2, 42, subdivision 1; 43, subdivision 1; 44, subdivision 1; 47, subdivision 2; 49, subdivision 1; 50; 51; 53; 54, subdivision 2; 55, subdivision 2; 56, subdivision 1; 58, subdivision 1; 60, subdivision 1; 62, subdivision 1; 64,

subdivision 2; 65, subdivision 1; 66, subdivision 1; 67; 68, subdivision 2; 69, and by adding a section.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

MOTIONS AND RESOLUTIONS

Wenzel 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, May 20, 1991, on S. F. No. 506, as amended by Conference." The motion prevailed.

Johnson, V., moved that H. F. No. 852 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

In order to preserve order and decorum in the House Chamber as provided in House Rule 7.01, paragraph 2, and in order to maintain an atmosphere of courtesy and respect for members who have the floor, the following policies will be in effect for the 1992 legislative session:

(1) The provisions of House Rule 4.07 will be strictly enforced. Excessive noise or other obvious disturbance including but not limited to reading newspapers during the course of floor debate will not be tolerated. This policy applies to House members and any other persons admitted to the House Chamber when the House is in session. The Sergeant at Arms will enforce this policy.

(2) In accordance with House Rule 4.09, legislative staff should not be on the House floor or in the House retiring room unless they have specific business with a House member. In addition, the House retiring room shall not be used for meetings with staff or other persons by House members unless arrangements are made in advance with the Office of the Speaker. The Sergeant at Arms is instructed to enforce this policy.

(3) House members may consume coffee, tea and soft drinks at their desks when the House is in session, but food and other snacks will not be allowed in the House Chamber when the House is in session.

This policy shall also apply to all meetings of House standing committees, divisions, and subcommittees.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Commerce: Add the name of Krambeer.

Education: Remove the name of Scheid and add the name of Skoglund.

Education/Education Finance Division: Remove the name of Scheid and add the name of Skoglund.

Energy: Add the name of Krambeer.

General Legislation, Veterans Affairs and Gaming: Remove the name of Scheid and add the name of Vanasek.

Health and Human Services: Remove the name of Welle and add the name of Rodosovich, and also add the name of Rodosovich as Chair.

Labor-Management Relations: Add the name of Krambeer.

Rules and Legislative Administration: Remove the name of Vanasek and add the name of Welle, and remove the name of Long as Chair and add the name of Welle as Chair.

Taxes: Remove the names of Scheid and Skoglund.

Transportation: Remove the name of Welle and add the name of Clark.

ADJOURNMENT

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, January 7, 1992.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

