

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION—1992

SIXTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 7, 1992

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

Prayer was offered by Father Robert Johnson, Nativity of Mary Catholic Church, Bloomington, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kahn, Welker, Hausman, Sparby and Clark introduced:

H. F. No. 1762, A bill for an act relating to metropolitan affairs; prohibiting certain metropolitan airports commission bond proceeds from being used to pay down leveraged buy-out debt; amending Minnesota Statutes 1991 Supplement, section 473.667, subdivision 11.

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

Rodosovich introduced:

H. F. No. 1763, A bill for an act relating to state lands; authorizing the conveyance or release of a state easement in Faribault.

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

Solberg; Kinkel; Anderson, I., and Uphus introduced:

H. F. No. 1764, A bill for an act relating to game and fish; issuance of antlerless deer permits to elderly residents; amending Minnesota Statutes 1990, section 97A.451, by adding a subdivision.

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

Smith introduced:

H. F. No. 1765, A bill for an act relating to children; clarifying certain provisions of the law regulating minority race or heritage adoptions; amending Minnesota Statutes 1990, section 259.28, subdivision 2.

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

Smith introduced:

H. F. No. 1766, A bill for an act relating to commerce; real estate

brokers; creating a lien for unpaid leasing commissions and providing for its enforcement; proposing coding for new law in Minnesota Statutes, chapter 514.

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

Hanson and Anderson, I., introduced:

H. F. No. 1767, A bill for an act relating to counties; prohibiting certain officers from serving on internal audit bodies; proposing coding for new law in Minnesota Statutes, chapter 384.

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

Boo introduced:

H. F. No. 1768, 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.

Omann introduced:

H. F. No. 1769, A bill for an act relating to agriculture; changing certain provisions of the family farm security program; amending Minnesota Statutes 1990, sections 41.55; and 41.57.

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

Omann and Koppendrayner introduced:

H. F. No. 1770, 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.

Omann, Bettermann, Uphus and Koppendraye introduced:

H. F. No. 1771, 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.

Kalis; Peterson; Steensma; Nelson, S., and Dauner introduced:

H. F. No. 1772, A bill for an act relating to taxation; sales; modifying the exemption for occasional sales; 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.

Davids, Waltman, Bettermann and Ostrom introduced:

H. F. No. 1773, A bill for an act relating to appropriations; requiring disbursement of money for the Camp Creek trail system.

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

Bettermann, Omann, Stanius, Uphus and Hugoson introduced:

H. F. No. 1774, A bill for an act relating to crimes; authorizing imposition of the death penalty for first degree murder following conviction for a heinous crime; providing a statutory framework, including procedures and criteria, consistent with due process for determining when the imposition of the death penalty is appropriate; providing for automatic appellate review of death penalty cases; providing for appointment of attorneys in death penalty cases; providing an administrative framework for implementing the death penalty; amending Minnesota Statutes 1990, sections 243.05, subdivision 1; 609.10; 609.12, subdivision 1; 609.135, subdivision 1; 609.185; Minnesota Statutes 1991 Supplement, section 611.25, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 609A.

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

Reding; Jefferson; Johnson, R.; O'Connor and Knickerbocker introduced:

H. F. No. 1775, A bill for an act relating to retirement; public employees police and fire fund; modifying member and employer contribution rates to reflect actuarial funding requirements; amending Minnesota Statutes 1990, section 353.65, subdivisions 2 and 3.

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

Jaros, Gruenes, Garcia and Goodno introduced:

H. F. No. 1776, A bill for an act relating to education; allowing perennial migrant workers resident tuition status; amending Minnesota Statutes 1991 Supplement, section 135A.03, subdivision 7.

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

Schreiber and Jacobs introduced:

H. F. No. 1777, A bill for an act relating to alcoholic beverages; authorizing the issuance of an on-sale intoxicating liquor license.

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

Orfield; Anderson, I.; Garcia; Carruthers and Ozment introduced:

H. F. No. 1778, A bill for an act relating to metropolitan government; limiting the authority of the metropolitan council to authorize issuance of bonds for sewer facilities; limiting the authority of the public facilities authority to fund certain sewer projects; amending Minnesota Statutes 1990, sections 446A.05, subdivision 1, and by adding a subdivision; and 473.541, subdivisions 3, 4, and by adding a subdivision.

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

Kahn, Orenstein, Wagenius, Welker and Greenfield introduced:

H. F. No. 1779, A bill for an act relating to public finance; providing a general limit on the purposes of public debt; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Frerichs and Davids introduced:

H. F. No. 1780, A bill for an act relating to local government; exempting the town of Marion from levy limits.

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

Dauner; Anderson, R.; Nelson, S.; Bertram and Kinkel introduced:

H. F. No. 1781, A bill for an act relating to lawful gambling; specifying that certain expenditures for senior citizens and conservation programs are lawful purposes; amending Minnesota Statutes 1991 Supplement, section 349.12, subdivision 25.

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

Haukoos and Dempsey introduced:

H. F. No. 1782, A bill for an act relating to higher education; appropriating money for education and related purposes to the University of Minnesota.

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

Jaros and Osthoff introduced:

H. F. No. 1783, A bill for an act relating to lotteries; requiring the director to establish sports pool games; establishing a human resources account in the general fund, to which all net proceeds from these games must be credited; appropriating money for nutrition, housing, and health care; amending Minnesota Statutes 1990, sections 145A.14, by adding a subdivision; 349A.04; and 349A.13; Minnesota Statutes 1991 Supplement, section 349A.10, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 256 and 268.

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

Cooper, Dille and Bauerly introduced:

H. F. No. 1784, A bill for an act relating to education; extending interactive television levy authority to school districts in economic region six; amending Minnesota Statutes 1991 Supplement, section 275.125, subdivision 11g.

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

Swenson, Milbert, Morrison, Pugh and Macklin introduced:

H. F. No. 1785, A bill for an act relating to driving while intoxicated; broadening the crime of criminal vehicular homicide and injury; establishing mandatory minimum sentences for criminal vehicular homicide and injury; amending Minnesota Statutes 1990, sections 609.135, subdivision 1; and 609.21.

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

Swenson, Milbert, Morrison, Pugh and Seaberg introduced:

H. F. No. 1786, A bill for an act relating to driving while intoxicated; imposing minimum penalties on repeat offenders; amending Minnesota Statutes 1990, section 169.121, subdivision 3a.

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

Anderson, R.; Bauerly, Nelson, K.; McEachern and Ozment introduced:

H. F. No. 1787, A bill for an act relating to education; increasing the maximum general education revenue generated by certain alternative high school program pupils; clarifying the required number of school days in the school year; amending Minnesota Statutes 1990, section 120.101, subdivision 5; Minnesota Statutes 1991 Supplement, sections 120.101, subdivision 5b; and 124.19, subdivisions 1, 1b, and 7.

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

Ozment, Schafer, Hartle, Weaver and Tompkins introduced:

H. F. No. 1788, A bill for an act relating to education; creating a

formula-based equalized levy and aid for school district debt service needs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1990, section 124.95.

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

Schreiber introduced:

H. F. No. 1789, A bill for an act relating to the local government trust fund; providing for payments from the fund for fiscal years 1994 and 1995.

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

Orenstein, Brown, Munger, Kahn and Jaros introduced:

H. F. No. 1790, 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.

Skoglund introduced:

H. F. No. 1791, A bill for an act relating to insurance; Minnesota comprehensive health association; increasing the maximum lifetime benefit amounts of certain state plan coverages; extending the effective date of the authorization of use of experimental delivery methods; amending Minnesota Statutes 1991 Supplement, sections 62E.10, subdivision 9; and 62E.12.

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

Solberg, Osthoff, Long, Abrams and Ogren introduced:

H. F. No. 1792, A bill for an act relating to elections; providing for the reimbursement of expenses for the 1992 presidential primary election; suspending the application of party choice provisions until a condition is met; requiring county auditors, the commissioner of revenue, and the secretary of state to perform certain duties; appropriating money.

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

Boo introduced:

H. F. No. 1793, A bill for an act relating to education; reappropriating money to the University of Minnesota for state special appropriations that were vetoed.

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

Welle moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

S. F. Nos. 1596 and 1597.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1596, 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.

S. F. No. 1597, 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.

MOTIONS AND RESOLUTIONS

Leppik moved that her name be stricken as an author on H. F. No. 1629. The motion prevailed.

Wagenius moved that her name be stricken as an author on H. F. No. 1704. The motion prevailed.

Ogren moved that his name be stricken and the name of Brown be added as chief author and that the names of Cooper and Winter be added as authors on H. F. No. 1727. The motion prevailed.

Schafer moved that the name of McPherson be added as an author on H. F. No. 1733. The motion prevailed.

Uphus moved that the name of Bettermann be added as an author on H. F. No. 1737. The motion prevailed.

Wenzel moved that the name of Marsh be added as an author on H. F. No. 1742. The motion prevailed.

Jefferson moved that the name of Clark be added as an author on H. F. No. 1757. The motion prevailed.

Greenfield moved that the names of Ogren and Clark be added as authors on H. F. No. 1758. The motion prevailed.

Morrison moved that the name of Onnen be added as an author on H. F. No. 1759. The motion prevailed.

ADJOURNMENT

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, January 8, 1992.

EDWARD A. BURDICK, Chief Clerk, House of Representatives