

## STATE OF MINNESOTA

## SEVENTY-SEVENTH SESSION—1992

## SIXTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 15, 1992

The House of Representatives convened at 1:00 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Monsignor James D. Habiger, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Pauly was excused.

Bishop was excused until 4:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding

day. Winter 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:

Dille, Cooper, Schafer, Welle and Segal introduced:

H. F. No. 1875, A bill for an act relating to regional development commissions; permitting annual audits by a certified public accountant; amending Minnesota Statutes 1990, section 462.396, subdivision 4.

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

Sviggum, Rodosovich, Runbeck, Welle and Henry introduced:

H. F. No. 1876, A bill for an act relating to human services; defining certain terms; providing for certain child care funding; appropriating money; amending Minnesota Statutes 1990, sections 256H.01, subdivision 9, and by adding a subdivision; and 256H.10, subdivision 1; Minnesota Statutes 1991 Supplement, sections 256H.03, subdivisions 4 and 6; and 256H.05, subdivision 1b, and by adding a subdivision.

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

Bishop, Vellenga, Solberg and Seaberg introduced:

H. F. No. 1877, A bill for an act relating to crimes; driving while intoxicated; changing the chemical dependency assessment charge for driving while intoxicated laws; amending Minnesota Statutes 1990, section 169.126, subdivision 4c; Minnesota Statutes 1991 Supplement, section 169.121, subdivision 5a.

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

Macklin, Vellenga, Blatz, Wagenius and Pugh introduced:

H. F. No. 1878, A bill for an act relating to children; authorizing

criminal background checks of professional and volunteer child care providers; establishing procedures for the sharing of criminal record data with child care employers; protecting privacy rights of subjects of the background checks; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Farrell, Sarna, McEachern, O'Connor and Anderson, R., introduced:

H. F. No. 1879, A bill for an act relating to commerce; requiring a certain interest rate disclosure on certain sales of goods and services; modifying the maximum finance charge on certain open end credit sales; regulating additional charges; amending Minnesota Statutes 1990, section 334.16, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Ostrom; Welle; Hasskamp; Anderson, R., and Lasley introduced:

H. F. No. 1880, A bill for an act relating to civil commitment; authorizing new procedures for return of certain patients who are absent from treatment facilities without authorization; requiring the commissioner of public safety to enable information on absent patients to be entered into the criminal justice information system; amending Minnesota Statutes 1990, section 253B.23, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Girard, Schafer and McEachern introduced:

H. F. No. 1881, A bill for an act relating to education; excluding employee organization meeting days from the school calendar; amending Minnesota Statutes 1990, section 126.12, subdivision 2.

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

Bauerly; McEachern; Nelson, K.; Lasley and Kelso introduced:

H. F. No. 1882, A bill for an act relating to education; clarifying the debt service equalization program; authorizing a levy adjustment; amending Minnesota Statutes 1991 Supplement, section 124.95, subdivisions 1 and 2.

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

Wenzel, Long, Blatz, Newinski and Dille introduced:

H. F. No. 1883, 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.

Sparby and Carruthers introduced:

H. F. No. 1884, A bill for an act relating to financial institutions; authorizing a banking institution that is a trustee to invest in certain investment companies and investment trusts; amending Minnesota Statutes 1990, sections 48.01, subdivision 1; 48.38, subdivision 6; 48.84; and 501B.10, subdivision 6.

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

Boo introduced:

H. F. No. 1885, A bill for an act relating to elected officials; compensation plans; prohibiting vacation and sick leave for certain elected officials of political subdivisions; amending Minnesota Statutes 1990, section 43A.17, by adding a subdivision.

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

Cooper, Brown and Hartle introduced:

H. F. No. 1886, A bill for an act relating to traffic regulations; providing for exemption to open bottle law; amending Minnesota Statutes 1990, section 169.122, by adding a subdivision.

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

Thompson, Kinkel and Lieder introduced:

H. F. No. 1887, A bill for an act relating to motor vehicles; authorizing issuance of special license plates for square and round dancers; amending Minnesota Statutes 1990, section 168.12, by adding a subdivision.

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

Ostrom; Dorn; Olson, K.; Kalis and Hugoson introduced:

H. F. No. 1888, A bill for an act relating to education; extending interactive television levy authority to school districts in economic region nine; 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.

Rukavina, Begich, Trimble, Bettermann and Krinkie introduced:

H. F. No. 1889, A bill for an act relating to employment; modifying provisions related to access to employee personnel records; amending Minnesota Statutes 1990, sections 181.961, subdivision 2; and 181.962, subdivision 1.

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

Johnson, R.; Nelson, S.; Dauner; Winter and Tunheim introduced:

H. F. No. 1890, 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, R.; Dauner; Nelson, S.; Winter and Peterson introduced:

H. F. No. 1891, A bill for an act relating to the local government trust fund; providing for payment from the fund for fiscal years 1994 and 1995; appropriating money.

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

Farrell, Orfield, Pugh, Milbert and Bishop introduced:

H. F. No. 1892, A bill for an act relating to commerce; regulating negotiable instruments; adopting the revised article 3 of the Uniform Commercial Code with conforming amendments to articles 1 and 4 approved by the American Law Institute and the National Conference of Commissioners on Uniform State Laws.

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

Thompson, Sparby, Lourey, McEachern and Bettermann introduced:

H. F. No. 1893, A bill for an act relating to education; changing the structure of the higher education merger; amending Minnesota Statutes 1991 Supplement, sections 136E.03; 136E.04, subdivision 1; 179A.10, subdivision 2; and Laws 1991, chapter 356, article 9, sections 8, subdivisions 1 and 4; 9; and 14; repealing Minnesota Statutes 1991 Supplement, section 136E.04, subdivision 4; and Laws 1991, chapter 356, article 9, sections 8, subdivision 6; and 11.

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

Wenzel, Gutknecht, Valento, Osthoff and Omann introduced:

H. F. No. 1894, A bill for an act relating to taxation; increasing the subtraction from taxable income for education expenses; amending Minnesota Statutes 1990, section 290.01, subdivision 19b.

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

Cooper; Brown; Gruenes; Johnson, R., and Ostrom introduced:

H. F. No. 1895, A bill for an act relating to retirement; establishing an ambulance service personnel longevity award and incentive program; redirecting proceeds of a driver's license surtax; amending Minnesota Statutes 1991 Supplement, sections 171.06, subdivision 2b; 353D.01, subdivision 2; 353D.02; 353D.03; 353D.05, subdivisions 1 and 3; and 353D.06; proposing coding for new law as Minnesota Statutes, chapter 356B; repealing Minnesota Statutes 1991 Supplement, sections 353D.01, subdivisions 1a and 1b; 353D.021; 353D.031; 353D.051; and 353D.091; and Laws 1991, chapter 291, article 19, section 11.

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

Hasskamp, Vellenga, Thompson, McGuire and Marsh introduced:

H. F. No. 1896, A bill for an act relating to crime; providing for life imprisonment without release for persons who commit first degree murder involving forcible criminal sexual conduct; amending Minnesota Statutes 1990, sections 244.05, subdivisions 4 and 5; and 609.184, subdivision 2.

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

Bauerly, McEachern, Kelso, Lasley and Kalis introduced:

H. F. No. 1897, A bill for an act relating to education; modifying the cooperative secondary facilities program; authorizing the sale of bonds; amending Minnesota Statutes 1990, sections 124.493, subdivision 1; 124.494, subdivisions 2 and 4; and 124.495; repealing Minnesota Statutes 1991 Supplement, section 124.493, subdivision 3.

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

Johnson, R., and Munger introduced:

H. F. No. 1898, A bill for an act relating to natural resources; prohibiting water ski slalom courses on certain waters of the state; proposing coding for new law in Minnesota Statutes, chapter 86B.

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

Haukoos, Reding, Kalis and Anderson, R. H., introduced:

H. F. No. 1899, A bill for an act relating to taxation; providing local government aid increases to the city of Alden.

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

Johnson, R., and Kinkel introduced:

H. F. No. 1900, A bill for an act relating to local government; increasing dollar thresholds for compliance with certain provisions of the uniform municipal contracting law; amending Minnesota Statutes 1990, section 471.345, subdivisions 3, 4, and 5.

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

Winter, Skoglund, Lourey and Johnson, R., introduced:

H. F. No. 1901, A bill for an act relating to insurance; property and casualty; regulating certain terminations and modifications or changes to certain agent agreements; modifying the definition of loss ratio experience; modifying membership in the board of review; amending Minnesota Statutes 1990, sections 60A.172; and 60A.177, subdivision 3.

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

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

H. F. No. 1902, A bill for an act relating to retirement; providing benefit increases for certain public employees; amending Minnesota Statutes 1990, sections 352.115, subdivision 3; 353.29, subdivision 3; 354.44, subdivision 6; and 354A.31, subdivision 4.



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

Simoneau introduced:

H. F. No. 1903, A bill for an act relating to capital improvements; authorizing bonds and appropriating money for the Minnesota Zoological Garden.

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

Dorn introduced:

H. F. No. 1904, 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 Education.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Simoneau requested immediate consideration of S. F. No. 1612.

S. F. No. 1612 was reported to the House.

Sviggum moved to amend S. F. No. 1612, as follows:

Page 1, after line 22, insert:

“Sec. 2. [APPROPRIATION REDUCTION.]

The appropriation to the legislature under Laws 1991, chapter 345, article 1, section 2, for the fiscal year ending June 30, 1993, is reduced by \$3,400,000. Of that amount, \$1,700,000 is a reduction to the appropriation to the senate under Laws 1991, chapter 345, article 1, section 2, subdivision 2, and \$1,700,000 is a reduction to the appropriation to the house of representatives under Laws 1991, chapter 345, article 1, section 2, subdivision 3. Notwithstanding any law to the contrary, the reductions required under this section must be applied, to the maximum extent possible, to expenses of legislators, including travel and per diems. The amount of this appropriation reduction is intended to fund the work readiness time limit suspension under section 1.”

Page 2, line 3, delete "2" and insert "3"

Renumber the sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Marsh	Schafer
Anderson, R. H.	Garcia	Jennings	McPherson	Schreiber
Bettermann	Girard	Johnson, V.	Morrison	Seaberg
Blatz	Goodno	Knickerbocker	Nelson, S.	Smith
Boo	Gruenes	Koppendrayer	Newinski	Stanisus
Dauner	Gutknecht	Krambeer	Olsen, S.	Sviggum
Davids	Hanson	Krinkie	Omann	Swenson
Dempsey	Hartle	Leppik	Onnen	Tompkins
Dille	Haukoos	Limmer	Ozment	Uphus
Dorn	Heir	Lourey	Pellow	Valento
Erhardt	Henry	Lynch	Pelowski	Waltman
Frederick	Hufnagle	Macklin	Runbeck	Weaver

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

#### POINT OF ORDER

Stanisus raised a point of order pursuant to rule 5.10 that S. F. No. 1612 was not in order. The Speaker ruled the point of order not well taken and S. F. No. 1612 in order.

Weaver and Sviggum moved to amend S. F. No. 1612, as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1990, section 290.01, subdivision 6, is amended to read:

Subd. 6. [TAXPAYER.] The term "taxpayer" means any person or corporation subject to a tax imposed by this chapter. ~~For purposes of section 290.06, subdivision 23, the term "taxpayer" means an individual eligible to vote in Minnesota under section 201.014."~~

Page 1, line 24, before "Section" insert "(a)" and delete the first "1" and insert "2"

Page 1, after line 24, insert:

"(b) Minnesota Statutes 1990, section 10A.43, subdivision 5; Minnesota Statutes 1991 Supplement, sections 10A.322, subdivision 4; and 290.06, subdivision 23, are repealed.

#### Sec. 4. [APPROPRIATION REDUCTION.]

The appropriation to the legislature under Laws 1991, chapter 345, article 1, section 2, for the fiscal year ending June 30, 1993, is reduced by \$1,200,000. Of that amount, \$600,000 is a reduction to the appropriation to the senate under Laws 1991, chapter 345, article 1, section 2, subdivision 2, and \$600,000 is a reduction to the appropriation to the house of representatives under Laws 1991, chapter 345, article 1, section 2, subdivision 3. Notwithstanding any law to the contrary, the reductions required under this section must be applied, to the maximum extent possible, to expenses of legislators, including travel and per diems. The amount of this appropriation reduction and savings from the repeal of the political contribution refund in sections 1 and 3, paragraph (b), are intended to fund the work readiness time limit suspension in section 2."

Page 2, line 2, delete "1" and insert "2"

Page 2, line 3, delete "2" and insert "3, paragraph (a)" and after the period insert "Sections 1 and 3, paragraph (b) are effective for contributions made after January 31, 1992."

Renumber the sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Weaver and Sviggum amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail and the amendment was not adopted.

Sviggum and Welker offered an amendment to S. F. No. 1612.

#### POINT OF ORDER

Welle raised a point of order pursuant to rule 3.09 that the Sviggum and Welker amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 1612, A bill for an act relating to human services; temporarily removing the time limit on work readiness assistance.

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 82 yeas and 49 nays as follows:

## Those who voted in the affirmative were:

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

## Those who voted in the negative were:

Abrams	Girard	Johnson, V.	Morrison	Schreiber
Anderson, R. H.	Goodno	Kalis	Newinski	Smith
Bettermann	Gruenes	Knickerbocker	Olsen, S.	Stanis
Blatz	Gutknecht	Koppendrayer	Omann	Svigum
Davids	Hartle	Krinkie	Onnen	Uphus
Dempsey	Haukoos	Leppik	Ozment	Valento
Dille	Heir	Limmer	Pellow	Waltman
Erhardt	Henry	Lynch	Pelowski	Weaver
Frederick	Hufnagle	Macklin	Runbeck	Welker
Frerichs	Hugoson	McPherson	Schafer	

The bill was passed and its title agreed to.

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.

Welle and Dempsey requested unanimous consent to offer House Concurrent Resolution No. 6. The request was granted.

Welle and Dempsey introduced:

House Concurrent Resolution No. 6, A house concurrent resolution relating to adjournment for more than three days.

## SUSPENSION OF RULES

Welle and Dempsey moved that the rules be so far suspended that House Concurrent Resolution No. 6 be now considered and be placed upon its adoption. The motion prevailed.

## HOUSE CONCURRENT RESOLUTION NO. 6

A house concurrent resolution relating to adjournment for more than three days.

*Be It Resolved* by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon its adjournment on January 15, 1992, the House of Representatives may set its next day of meeting for Tuesday, February 18, 1992.

2. Upon its adjournment on January 15, 1992, the Senate may set its next day of meeting for Tuesday, February 18, 1992.

3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consents to the adjournment of the other for more than three days.

Welle and Dempsey moved that House Concurrent Resolution No. 6 be now adopted. The motion prevailed and House Concurrent Resolution No. 6 was adopted.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Welle, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

*Resolved* that Rule 9.03 of the Permanent Rules of the House of Representatives for the 77th Session be amended to read as follows:

9.03 DEADLINES. In regular session in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after Friday, April 12, 1991, and committee reports on bills originating in the other house favorably acted upon by a committee after Wednesday, April 24, 1991, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. In even-numbered years,

committee reports on bills favorably acted upon by a committee of the house of origin after ..... Friday, March 13, 1992, and committee reports on bills originating in the other house favorably acted upon by a committee after ..... Friday, March 20, 1992, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. However, referral is not required after the first deadline when, by the second deadline, a committee acts on a bill that is a companion to a bill that has then been acted upon by the first deadline in the Senate.

Bills in the House Committees on Appropriations and on Taxes, and the education finance bill in the Committee on Education, are exempt from this rule and need not be re-referred, except as follows: a bill other than an omnibus tax or appropriation bill that includes provisions that create or reestablish a commission, board, task force, advisory committee or council, or other entity, shall be re-referred to the Committee on Rules and Legislative Administration if it remains in committee after the deadlines set by this rule.

The motion prevailed and the report amending the Permanent Rules of the House for the 77th Session was adopted.

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Welle, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders for immediate consideration Wednesday, January 15, 1992:

S. F. Nos. 1562, 1598 and 1622.

#### SPECIAL ORDERS

S. F. No. 1562 was reported to the House.

Bishop moved to amend S. F. No. 1562, the unofficial engrossment, as follows:

Pages 4 and 5, delete section 9

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bishop moved to amend S. F. No. 1562, the unofficial engrossment, as amended, as follows:

Page 21, after line 12, insert:

"Sec. 20. [FINAL FOUR CORRECTION.]

Subdivision 1. Laws 1991, chapter 333, section 38, is amended to read:

Sec. 38. [TEMPORARY AUTHORITY; CHARTER CARRIERS OF PASSENGERS.]

(a) The transportation regulation board may issue a temporary permit to a motor carrier to operate as a charter carrier of passengers if the board finds that:

(1) the service to be provided under the temporary certificate will be provided during the month of January 1992 in connection with or related to the 1992 National Football League championship game or during the last week in March through the second week in April 1992 in connection with or related to the 1992 NCAA Men's Basketball Final Four Tournament;

(2) the petitioner for the temporary permit is fit and able to conduct the proposed operations; and

(3) the petitioner's vehicles meet the applicable safety standards of the commissioner of transportation.

(b) Notwithstanding Minnesota Statutes, section 221.121, subdivision 2, a holder of a temporary permit under this section is not required to seek a permanent permit from the board. The board may charge a registration fee of not more than \$10 for each vehicle that will be operated under authority of the permit. All permits issued by the board under this section expire on a date specified in the permit, but not later than ~~January 31~~ April 15, 1992.

(c) All provisions of Minnesota Statutes, chapter 221, not inconsistent with this section, apply to permits issued under this section.

(d) In granting temporary permits under this section, the board shall, to the maximum feasible extent, give priority to Minnesota-based carriers.



Subd. 2. [EFFECTIVE DATE.] Subdivision 1 is effective the day following its final enactment.

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bishop moved to amend S. F. No. 1562, the unofficial engrossment, as amended, as follows:

Page 21, after line 12, insert:

“Sec. 21. [EFFECTIVE DATE.]

Sections 14 and 18 take effect the day after final enactment.”

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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 third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abrams	Farrell	Kalis	O'Connor	Segal
Anderson, I.	Frederick	Kelso	Ogren	Simoneau
Anderson, R.	Frerichs	Kinkel	Olsen, S.	Skoglund
Anderson, R. H.	Garcia	Knickerbocker	Olson, E.	Smith
Battaglia	Girard	Koppendrayner	Olson, K.	Solberg
Bauerly	Goodno	Krambeer	Omann	Sparby
Beard	Greenfield	Krinkie	Onnen	Steensma
Begich	Gruenes	Krueger	Orenstein	Sviggum
Bertram	Hanson	Lasley	Orfield	Swenson
Bettermann	Hartle	Leppik	Osthoff	Thompson
Bishop	Hasskamp	Lieder	Ostrom	Tompkins
Blatz	Haukoos	Limmer	Ozment	Trimble
Bodahl	Hausman	Lourey	Pellow	Tunheim
Boo	Heir	Lynch	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	Wejcman
Davids	Jefferson	Morrison	Rukavina	Welker
Dawkins	Jennings	Munger	Runbeck	Welle
Dempsey	Johnson, A.	Murphy	Sarna	Wenzel
Dille	Johnson, R.	Nelson, K.	Schafer	Winter
Dorn	Johnson, V.	Nelson, S.	Schreiber	Spk. Long
Erhardt	Kahn	Newinski	Seaberg	

Those who voted in the negative were:

Macklin	Stanius	Weaver
---------	---------	--------

The bill was passed, as amended, and its title agreed to.

S. F. No. 1598 was reported to the House.

Lasley moved to amend S. F. No. 1598, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 207A.01, is amended to read:

**207A.01 [PRESIDENTIAL PRIMARY.]**

A presidential primary must be held on the first Tuesday in April of each year after 1993 in which a president and vice president of the United States are to be nominated and elected, at which the voters of this state may express their preference among the candidates of the major political party of their choice, for that party's nomination to be president of the United States or may vote for uncommitted delegates to the national party convention. For the purposes of sections 207A.01 to 207A.07, “political party” or “party” means a political party as defined in section 200.02, subdivision 7.

**Sec. 2. [EFFECTIVE DATE.]**

Section 1 is effective the day following final enactment.”

Delete the title and insert:

“A bill for an act relating to elections; changing the year for implementing the presidential primary; amending Minnesota Statutes 1990, section 207A.01.”

The motion prevailed and the amendment was adopted.

Nelson, K., was excused for the remainder of today's session.

Onnen, Leppik, Smith, Limmer, Sviggum and Anderson, R. H., moved to amend S. F. No. 1598, as amended, as follows:

Page 1, after line 18, insert:

“Sec. 2. [REPEALER.]

Minnesota Statutes 1990, sections 207A.03, subdivision 2; and 207A.08, are repealed.”

Page 1, line 20, delete “Section 1 is” and insert “Sections 1 and 2 are”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "eliminating requirement that primary voters identify themselves by party;"

Page 1, line 4, before the period, insert "; repealing Minnesota Statutes 1990, sections 207A.03, subdivision 2; and 207A.08"

A roll call was requested and properly seconded.

The question was taken on the Onnen et al amendment and the roll was called. There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Frerichs	Kelso	Morrison	Stanis
Anderson, R.	Goodno	Knickerbocker	Newinski	Steensma
Anderson, R. H.	Gruenes	Koppendrayer	Olsen, S.	Sviggum
Bertram	Hartle	Krambeer	Omann	Swenson
Bettermann	Hasskamp	Krinkie	Onnen	Tompkins
Blatz	Haukoos	Leppik	Ozment	Uphus
Davids	Henry	Limmer	Pellow	Valento
Dempsey	Hufnagle	Lynch	Rodosovich	Waltman
Dille	Jennings	Macklin	Runbeck	Weaver
Erhardt	Johnson, V.	Marsh	Schafer	Welker
Frederick	Kalis	McPherson	Smith	Wenzel

Those who voted in the negative were:

Abrams	Farrell	Kahn	Orfield	Skoglund
Battaglia	Garcia	Kinkel	Osthoff	Solberg
Bauerly	Girard	Krueger	Ostrom	Sparby
Beard	Greenfield	Lasley	Pelowski	Thompson
Begich	Gutknecht	Lieder	Peterson	Trimble
Bodahl	Hanson	Lourey	Pugh	Tunheim
Boo	Hausman	Mariani	Reding	Vanasek
Brown	Heir	McGuire	Rest	Vellenga
Carlson	Hugoson	Milbert	Rice	Wagenius
Carruthers	Jacobs	Murphy	Rukavina	Wejcnan
Clark	Janezich	Nelson, S.	Sarna	Welle
Cooper	Jaros	Ogren	Schreiber	Winter
Dauner	Jefferson	Olson, E.	Seaberg	Spk. Long
Dawkins	Johnson, A.	Olson, K.	Segal	
Dorn	Johnson, R.	Orenstein	Simoneau	

The motion did not prevail and the amendment was not adopted.

Kahn, Simoneau, Osthoff, Vellenga, Abrams, Gutknecht, Solberg, Vanasek, Orenstein, Munger, Milbert, Ogren and Kelso moved to amend S. F. No. 1598, as amended, as follows:

Delete everything after the enacting clause and insert:

**"Section 1. [204B.47] [EXPERIMENTAL MAIL ELECTIONS; PRESIDENTIAL PRIMARY.]**

**Subdivision 1. [AUTHORIZATION; GENERAL PROCEDURES.]** The presidential primary authorized by section 207A.01 must be conducted by mail on an experimental basis in 1992. The provisions of sections 204B.45, subdivisions 2 and 3, and 207A.01 to 207A.09 apply to the presidential primary to the extent practicable, except as provided in this section.

**Subd. 2. [BALLOT MAILER.]** No earlier than 20 days or later than ten days before the presidential primary, the secretary of state shall prepare and send by first class mail a ballot mailer to each person registered to vote as of 5:00 p.m. on the 21st day prior to the presidential primary. The voter records in the statewide registration system must indicate whether the voter has been sent a ballot mailer. A ballot mailer must not be mailed to any voter who has previously been sent an absentee ballot for the presidential primary. The ballot mailer must include a separate ballot for each major political party, a mailing enclosure, a return envelope, a ballot secrecy envelope, and instructions to the voters on marking the ballot and completing the mail voter's certificate. The return envelope must be preaddressed for delivery to the secretary of state.

The secretary of state may prepare the ballot mailer in a manner which permits the votes on the ballots, the voter's party choice, and information included on the return envelope to be read electronically. The ballots included in the ballot mailer must be prepared in the format provided for the white ballot to the extent practicable. The envelopes included in the ballot mailer must be prepared in the format provided in the rules for mail balloting adopted by the secretary of state to the extent practicable.

**Subd. 3. [VOTER VERIFICATION.]** The county auditors shall indicate on the statewide registration system the persons who have received absentee ballots prior to the mailing of the presidential primary ballot mailer. After the mailing of the presidential primary ballot mailer, the county auditors shall determine whether a person who applied for an absentee ballot has been sent a ballot mailer. The county auditor shall not send or deliver an absentee ballot to a voter who has been sent a ballot mailer unless the voter requests a replacement ballot in the manner provided in the rules of the secretary of state.

**Subd. 4. [COSTS.]** The secretary of state shall pay the following costs for the presidential primary: printing the ballot mailers; providing first class postage for the mailing enclosure and the return envelope included in the ballot mailer; use of equipment to process the return envelopes and count the ballots; and acquisition of adequate space and staff needed to process the return envelopes and count the ballots. The county auditor shall pay the costs of

preparing absentee and replacement ballots, and for first class postage for absentee ballots. The municipal clerks shall pay the costs of the election judges needed by the county auditor to process return envelopes and count the ballots, and the costs of providing ballot boxes and voting booths to the county auditor.

Subd. 5. [PROCESSING AND COUNTING BALLOTS.] The secretary of state may begin examining the return envelopes, removing voted ballots from the ballot secrecy envelopes, and placing the voted ballots in sealed containers immediately upon receipt of the return envelopes from the voters. The secretary of state may begin counting the voted ballots at any time on the day of the presidential primary. No results may be compiled or released to the public until after 8:00 p.m. on election day. The secretary of state may use equipment designed for optical character recognition on an experimental basis for the purpose of processing and counting the ballots.

The secretary of state shall provide adequate staff to process and count the voted ballots. Any staff employed must receive training in counting ballots similar to that required for election judges. The county auditors shall provide assistance to the secretary of state in the recruitment and training of staff and in the processing and counting of the ballots.

Subd. 6. [DUTIES OF COUNTY AUDITORS.] Each county auditor shall designate at least one place in the county where voters may deposit voted ballots and receive assistance. The county auditors shall also provide replacement ballots, absentee ballots, and ballots for persons who vote in person on election day.

The county auditor shall process and count absentee ballots, replacement ballots, and any ballots cast or returned on election day. The county auditor may begin examining return envelopes, removing voted ballots from the ballot secrecy envelopes, and placing the voted ballots in sealed containers at any time on election day. The county auditor shall count the ballots immediately after the close of voting and shall report the results in the manner specified by the secretary of state. The municipal clerks shall provide the county auditor with ballot boxes, voting booths, and an adequate number of election judges to process and count the ballots.

Subd. 7. [VOTING ON ELECTION DAY.] Presidential primary ballots may be obtained and cast in person at the locations designated by the county auditor from 7:00 a.m. until 8:00 p.m. on election day. The county auditor shall verify that persons voting on election day have not already submitted a voted ballot.

Subd. 8. [REPORTING RESULTS.] The secretary of state shall prepare a report on the results of the presidential primary for the state canvassing board. The report must include statewide vote totals for each candidate.

Sec. 2. [207A.10] [POLITICAL PARTY; SUSPENSION OF POLITICAL CONTRIBUTION REFUND AND STATE ELECTIONS CAMPAIGN FUND.]

(1) If any major political party fails to comply with chapter 207A, it is ineligible to receive any official refund receipt forms from the ethical practices board under section 10A.322, subdivision 4. The party is also prohibited from issuing any refund receipt forms to taxpayers under section 10A.322 and section 290.06, subdivision 23. A taxpayer is not eligible to receive a political contribution refund under section 290.06, subdivision 23 for a donation to a party not in compliance with chapter 207A.

(2) If any major political party fails to comply with chapter 207A its state committee is ineligible to receive any allocation under section 10A.31, subdivision 5.

Sec. 3. [APPROPRIATION.]

\$3,000,000 is appropriated from the general fund to the secretary of state to implement section 1. This appropriation is available until June 30, 1993.

Sec. 4. [EFFECTIVE DATE.]

This act is effective the day after final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 21 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Abrams	Kahn	Munger	Schreiber	Vellenga
Anderson, I.	Kelso	O'Connor	Simoneau	
Gutknecht	Knickerbocker	Ogren	Smith	
Hasskamp	Marsh	Orenstein	Solberg	
Hufnagle	Milbert	Osthoff	Vanasek	

Those who voted in the negative were:

Anderson, R.	Dorn	Johnson, A.	Nelson, S.	Seaberg
Anderson, R. H.	Erhardt	Johnson, R.	Newinski	Segal
Battaglia	Farrell	Johnson, V.	Olsen, S.	Skoglund
Bauerly	Frederick	Kalis	Olson, E.	Sparby
Beard	Frerichs	Kinkel	Olson, K.	Stanius
Begich	Garcia	Koppendrayer	Omann	Steensma
Bertram	Girard	Krambeer	Onnen	Sviggum
Bettermann	Goodno	Krinkie	Orfield	Swenson
Bishop	Greenfield	Krueger	Ostrom	Thompson
Blatz	Gruenes	Lasley	Ozment	Tompkins
Bodahl	Hanson	Leppik	Pellow	Trimble
Boo	Hartle	Lieder	Pelowski	Tunheim
Brown	Haukoos	Limmer	Peterson	Uphus
Carlson	Hausman	Lourey	Pugh	Valento
Carruthers	Heir	Lynch	Reding	Wagenius
Clark	Henry	Macklin	Rest	Waltman
Cooper	Hugoson	Mariani	Rice	Weaver
Dauner	Jacobs	McEachern	Rodosovich	Wejcmann
Davids	Janezich	McGuire	Rukavina	Welker
Dawkins	Jaros	McPherson	Runbeck	Welle
Dempsey	Jefferson	Morrison	Sarna	Wenzel
Dille	Jennings	Murphy	Schafer	Winter

The motion did not prevail and the amendment was not adopted.

S. F. No. 1598, A bill for an act relating to elections; changing the year for implementing the presidential primary; eliminating requirement that primary voters identify themselves by party; amending Minnesota Statutes 1990, section 207A.01; repealing Minnesota Statutes 1990, sections 207A.03, subdivision 2; and 207A.08.

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

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Johnson, A.	Murphy	Seaberg
Anderson, R.	Erhardt	Johnson, R.	Nelson, S.	Segal
Anderson, R. H.	Farrell	Johnson, V.	Newinski	Skoglund
Battaglia	Frederick	Kalis	O'Connor	Smith
Bauerly	Frerichs	Kinkel	Olsen, S.	Sparby
Beard	Garcia	Koppendrayer	Olson, E.	Steensma
Begich	Girard	Krambeer	Olson, K.	Sviggum
Bertram	Goodno	Krueger	Omann	Swenson
Bettermann	Greenfield	Lasley	Onnen	Thompson
Bodahl	Gruenes	Leppik	Orfield	Tompkins
Boo	Hanson	Lieder	Ostrom	Tunheim
Brown	Hartle	Limmer	Ozment	Uphus
Carlson	Hasskamp	Lourey	Pelowski	Valento
Carruthers	Haukoos	Lynch	Peterson	Waltman
Clark	Hausman	Macklin	Pugh	Wejcmann
Cooper	Heir	Mariani	Reding	Welker
Dauner	Hugoson	Marsh	Rest	Welle
Davids	Jacobs	McEachern	Rodosovich	Wenzel
Dawkins	Jaros	McGuire	Runbeck	Winter
Dempsey	Jefferson	McPherson	Sarna	
Dille	Jennings	Morrison	Schafer	



Those who voted in the negative were:

Abrams	Kahn	Ogren	Schreiber	Vellenga
Blatz	Kelso	Orenstein	Simoneau	Wagenius
Gutknecht	Knickerbocker	Osthoff	Solberg	Weaver
Henry	Krinkie	Pellow	Stanius	Spk. Long
Hufnagle	Milbert	Rice	Trimble	
Janezich	Munger	Rukavina	Vanasek	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1622, 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 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

**MOTIONS AND RESOLUTIONS**

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

Jaros moved that the name of Bertram be added as an author on H. F. No. 1783. The motion prevailed.

Welker moved that the name of Peterson be added as an author on H. F. No. 1852. The motion prevailed.

Bauerly moved that the name of Lasley be stricken and the name of Cooper be added as an author on H. F. No. 1857. The motion prevailed.

Dauner moved that his name be stricken as an author on H. F. No. 1858. The motion prevailed.

Heir moved that the name of Olsen, S., be added as an author on H. F. No. 1863. The motion prevailed.

Johnson, A., moved that the name of Olsen, S., be added as an author on H. F. No. 1869. 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 affirmative on Tuesday, January 14, 1992, on final passage of S. F. No. 11." The motion prevailed.

Cooper moved that the following statement be printed in the Permanent Journal of the House:

"Had I not been excused by the Speaker on Monday, January 13, 1992, when the vote was taken to override the Governor's line item veto relating to Chapter 265, H. F. No. 700, I would have voted in the affirmative." The motion prevailed.

Wenzel moved that H. F. No. 1883 be returned to its author. The motion prevailed.

Clark, Jefferson, Kahn, Greenfield and Long introduced:

House Resolution No. 10, A house resolution eulogizing Citizen Earl Craig, Jr.

## SUSPENSION OF RULES

Clark moved that the rules be so far suspended that House Resolution No. 10 be now considered and be placed upon its adoption. The motion prevailed.

## HOUSE RESOLUTION NO. 10

A house resolution eulogizing Citizen Earl Craig, Jr.

*Whereas*, Minnesota has lost:

a man of great ability;  
a teacher;  
an eloquent champion of the poor and people of color;  
an advocate who empowered the powerless;  
a leader in the struggle for civil rights for all;  
a good brother, loving son, and adored uncle;  
an art enthusiast;  
a sports fan; and  
a gifted public philosopher and community builder; and

*Whereas*, citizen Earl Craig, Jr., embodied:

compassion;  
sensitivity;  
commitment;  
a sense of community;  
skill and effectiveness in public service;  
fairness;  
curiosity and passion for ideas;  
renaissance-intellect;  
activism; and  
high principles; *Now, Therefore*,

*Be It Resolved* by the House of Representatives of the State of Minnesota that it offer a moment of silence to acknowledge the passing of "a giant" from the Minnesota public service stage.

Clark moved that House Resolution No. 10 be now adopted. The motion prevailed and House Resolution No. 10 was adopted.

## SUSPENSION OF RULES

Pursuant to House Rule 1.12, Schreiber moved that the rules be so far suspended that S. F. No. 1623 be recalled from the Committee on Regulated Industries, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Schreiber motion and the roll was called. There were 86 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Kahn	Ogren	Segal
Anderson, R.	Frederick	Kalis	Olsen, S.	Smith
Anderson, R. H.	Frerichs	Knickerbocker	Olson, E.	Sparby
Bertram	Garcia	Koppendrayer	Olson, K.	Stanius
Bettermann	Girard	Krambeer	Omann	Sviggum
Bishop	Goodno	Krinkie	Onnen	Swenson
Blatz	Greenfield	Krueger	Orenstein	Tompkins
Bodahl	Gruenes	Leppik	Osthoff	Uphus
Boo	Gutknecht	Lieder	Ozment	Valento
Carlson	Hartle	Limmer	Pellow	Vanasek
Carruthers	Haukoos	Lourey	Pelowski	Waltman
Cooper	Heir	Lynch	Peterson	Weaver
Dauner	Henry	Macklin	Pugh	Welker
Dauids	Hufnagle	Marsh	Rest	Wenzel
Dawkins	Hugoson	McPherson	Runbeck	
Dempsey	Jaros	Morrison	Schafer	
Dille	Johnson, A.	Murphy	Schreiber	
Dorn	Johnson, V.	Newinski	Seaberg	

Those who voted in the negative were:

Anderson, I.	Hanson	Lasley	Reding	Trimble
Battaglia	Hasskamp	Mariani	Rukavina	Vellenga
Bauerly	Hausman	McEachern	Sarna	Wagenius
Beard	Jacobs	McGuire	Simoneau	Wejcmán
Begich	Jefferson	Nelson, S.	Skoglund	Welle
Brown	Johnson, R.	O'Connor	Solberg	Winter
Clark	Kelso	Orfield	Steensma	
Farrell	Kinkel	Ostrom	Thompson	

The motion did not prevail.

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.

There being no objection, the order of business reverted to Messages from the Senate.

**MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 6, A house concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

**ADJOURNMENT**

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, February 18, 1992. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, February 18, 1992.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

