

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 7, 1993

The House of Representatives convened at 12:00 noon and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Dr. Donald M. Meisel, House Chaplain.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that Representative Kathleen Vellenga, District 64A, was administered the oath of office on Wednesday, January 6, 1993. Her certificate of election and a signed and sworn statement of the oath are on file.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayner	Munger	Peterson	Tomassoni
Anderson, I.	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, R.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Asch	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Battaglia	Delmont	Huntley	Leppik	Ness	Rice	Vellenga
Bauerly	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vickerman
Beard	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Wagenius
Bergson	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Waltman
Bertram	Evans	Jennings	Lourey	Onnen	Seagren	Weaver
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Sekhon	Wejcman
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Smith	Winter
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Solberg	Wolf
Carlson	Greenfield	Kelley	McCollum	Ozment	Sparby	Worke
Carruthers	Greiling	Kelso	McGuire	Pauly	Stanis	Workman
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Sviggum	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Swenson	

A quorum was present.

Milbert and Tompkins were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Skoglund moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Solberg, Long, Welle and Sviggum introduced:

H. F. No. 1, A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Dawkins, Blatz, Simoneau, Cooper and Orenstein introduced:

H. F. No. 2, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

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

Bertram introduced:

H. F. No. 3, A bill for an act relating to insurance; establishing and regulating the life and health guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

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

McGuire, Delmont, Wejcman, Beard and Limmer introduced:

H. F. No. 4, A bill for an act relating to crime; clarifying and expanding the scope of harassment and stalking crimes; requiring that convicted harassers be assessed as to their need for mental health treatment; improving the enforcement mechanism for civil harassment restraining orders; clarifying the application of enhanced penalties for repeat domestic assaults; amending Minnesota Statutes 1992, sections 609.224, subdivision 2; 609.605, subdivision 1; 609.748, subdivision 6; 609.79, subdivision 1; and 609.795, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Lieder, Osthoff, Kalis, Kelso and Johnson, V., introduced:

H. F. No. 5, A bill for an act relating to transportation; authorizing the issuance of 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 and Public Transit.

Osthoff; Anderson, I.; Lieders; Orenstein and Johnson, A., introduced:

H. F. No. 6, A resolution expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

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

Cooper; Kalis; Battaglia; Brown, C., and Gruenes introduced:

H. F. No. 7, A bill for an act relating to ambulance service personnel; establishing an ambulance service personnel longevity award and incentive program; imposing a driver's license surcharge; appropriating money; amending Minnesota Statutes 1992, section 171.06, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 144C.

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

Skoglund and Winter introduced:

H. F. No. 8, A bill for an act relating to insurance; establishing and regulating the life and health insurance guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

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

Skoglund, Carruthers and Winter introduced:

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Bauerly, Ozment, Lourey and Krueger introduced:

H. F. No. 10, A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Vellenga introduced:

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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

Anderson, I., introduced:

H. F. No. 12, A bill for an act relating to economic development; requiring the commissioner of trade and economic development to designate Koochiching county as an enterprise zone.

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

Cooper, Welle and Ness introduced:

H. F. No. 13, A bill for an act relating to education; appropriating money for a cooperative secondary facilities grant to a certain group of districts.

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

Anderson, I., introduced:

H. F. No. 14, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing for a unicameral legislature of 102 to 135 representatives.

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

Sviggum, Leppik, Tompkins, Girard and Gutknecht introduced:

H. F. No. 15, A bill for an act relating to the compensation of state officers; providing for legislative salary recommendations; setting 1993 salaries for legislators, justices, judges, constitutional officers, and heads of executive departments; amending Minnesota Statutes 1992, section 15A.082, subdivision 3.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sviggum moved that the rule therein be suspended and an urgency be declared so that H. F. No. 15 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 Sviggum motion and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Haukoos	Koppendraye	McCollum	Pauly	Vickerman
Asch	Dempsey	Holsten	Krinkie	Molnau	Pawlenty	Waltman
Bergson	Erhardt	Hugoson	Leppik	Morrison	Perlt	Weaver
Bettermann	Evans	Jennings	Limmer	Mosel	Seagren	Wolf
Bishop	Frerichs	Johnson, V.	Lindner	Ness	Smith	Worke
Blatz	Girard	Kelley	Luther	Olson, M.	Stanis	Workman
Brown, C.	Goodno	Kelso	Lynch	Ornen	Sviggum	
Commers	Gruenes	Klinzing	Macklin	Opatz	Swenson	
Dauner	Gutknecht	Knickerbocker	Mahon	Ozment	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Cooper	Hausman	Krueger	Olson, K.	Rice	Tomassoni
Anderson, R.	Davids	Huntley	Lasley	Orenstein	Rodosovich	Trimble
Battaglia	Dawkins	Jacobs	Lieder	Orfield	Rukavina	Tunheim
Bauerly	Delmont	Jaros	Lourey	Osthoff	Sarna	Vellenga
Beard	Dorn	Jefferson	Mariani	Ostrom	Sekhon	Wagenius
Bertram	Farrell	Johnson, A.	McGuire	Pelowski	Simoneau	Wejzman
Brown, K.	Garcia	Johnson, R.	Munger	Peterson	Skoglund	Welle
Carlson	Greenfield	Kahn	Murphy	Pugh	Solberg	Wenzel
Carruthers	Greiling	Kalis	Nelson	Reding	Sparby	Winter
Clark	Hasskamp	Kinkel	Olson, E.	Rest	Steensma	Spk. Long

The motion did not prevail.

H. F. No. 15 was referred to the Committee on Governmental Operations and Gaming.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Onnen introduced:

H. F. No. 16, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 1; providing that state spending may not increase at a greater rate than increases in the consumer price index.

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

Onnen introduced:

H. F. No. 17, A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by law for a unicameral legislature of 135 members; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

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

Carruthers, Rest, Weaver and Kelley introduced:

H. F. No. 18, A bill for an act relating to government data practices; providing that criminal history data is public; providing that a record of conviction of certain crimes prevents an individual from obtaining a foster care license; amending Minnesota Statutes 1992, sections 13.87, subdivision 2; and 245A.04, subdivision 3.

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

Carruthers introduced:

H. F. No. 19, A bill for an act relating to local government; requiring that zoning and subdivisions be coordinated with comprehensive plans; regulating reports, budgets, personnel, and planning of metropolitan government bodies; amending Minnesota Statutes 1992, sections 462.357, subdivision 2; 473.122; 473.1623, subdivisions 3, 5, and 6; 473.163, subdivision 2; 473.175, subdivision 1; 473.181, subdivision 5; 473.38, subdivision 1; 473.661, by adding a subdivision; 473.858, subdivision 1; and 473.865, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 473.1623, subdivision 4; and 473.621, subdivisions 6 and 7.

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

Kalis; Brown, C.; Mosel; Peterson and Wenzel introduced:

H. F. No. 20, A resolution memorializing the United States Secretary of Agriculture to establish higher contract prices for grain commodities.

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

Anderson, I., introduced:

H. F. No. 21, A bill for an act relating to taxation; income; allowing federal annuitants to designate state income tax withholding; amending Minnesota Statutes 1992, section 289A.09, by adding a subdivision.

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

Skoglund, Reding, Greenfield, Winter and Gruenes introduced:

H. F. No. 22, A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

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

Milbert and Pugh introduced:

H. F. No. 23, A bill for an act relating to appropriations; appropriating money to reimburse Dakota county and the city of Inver Grove Heights for certain kidnapping investigation costs.

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

Pawlenty, Commers, Seagren, Molnau and Workman introduced:

H. F. No. 24, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Holsten, Van Dellen and Worke introduced:

H. F. No. 25, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Dempsey, Dehler, Vickerman, Lindner and Wolf introduced:

H. F. No. 26, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Sviggum, Ness, Leppik, Erhardt and Girard introduced:

H. F. No. 27, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

Senate Concurrent Resolution No. 1, A senate concurrent resolution relating to the adoption of temporary joint rules.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that Senate Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 1

A senate concurrent resolution relating to the adoption of temporary joint rules.

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

The Joint Rules of the Senate and the House of Representatives for the 76th session are adopted as the temporary joint rules of the 78th session, to be effective until the adoption of Permanent Joint Rules by the Senate and the House of Representatives, subject to the following amendments:

APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions. All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

In odd-numbered years, at least ~~twenty~~ eighteen calendar days prior to the last day the Legislature can meet in regular session [Thursday, April 29, 1993], the Committee on Finance of the Senate and the Committee on ~~Appropriations~~ Ways and Means of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, ~~five separate~~ for the two succeeding fiscal years appropriation bills for the two succeeding fiscal years as follows:

(a) A bill appropriating money for the general administrative and judicial expenses of the State government ~~for the succeeding two fiscal years~~, including salaries, office expenses and supplies and other necessary expenses connected therewith;

(b) A bill covering ~~all appropriations relating to public welfare, health and corrections for the support and maintenance of all State penal and charitable institutions, and other institutions of the State except educational for the two succeeding fiscal years~~ human services;

(c) A bill appropriating money for the support and maintenance of ~~all State educational institutions for the two succeeding fiscal years~~;

(d) A bill appropriating money for aid to school districts;

(e) A bill appropriating money for the protection and improvement of the State's environment and natural resources;

(f) A bill appropriating money for the department of transportation and other agencies;

(g) A bill appropriating money for criminal justice;

(h) A bill appropriating money for community development;

(i) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the Finance Committee of the Senate or the Appropriations Ways and Means Committee of the House;

~~(e) A bill covering all appropriations made for agriculture, transportation, and semi-state activities.~~

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

DEADLINES

Rule 2.03. (a) Except as provided in paragraph (b), in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after April 14, 1989 the sixth Friday before the last Friday the Legislature can meet in regular session [April 2, 1993], and committee reports on bills originating in the other house favorably acted upon by a committee after April 26, 1989 the fourth Friday before the last Friday the Legislature can meet in regular session [April 16, 1993], shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after the earlier date and by the later date set by this paragraph acts on a bill that is a companion to a bill that has met the earlier deadline in the other house.

(b) Committee reports on bills containing an appropriation that are favorably acted upon by a committee in either house after the third Friday before the last Friday the Legislature can meet in regular session [April 23, 1993], shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations Ways and Means and on Taxes.

(c) Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by the last Thursday on which the Legislature can meet in regular session [May 13, 1993]. After the last Friday on which the Legislature can meet in regular session [May 14, 1993], neither house shall act on bills other than those contained in:

(1) Reports of Conference Committees;

(2) Messages from the other house;

(3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or

(4) Messages from the Governor.

(b) (d) In even-numbered years the Legislature shall establish by concurrent resolution deadlines based on the date intended to be the date of adjournment sine die.

ARTICLE IV: ELECTION OF REGENTS

JOINT COMMITTEE

Rule 4.01. By May 7 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a Joint Convention of the legislature. The members of the joint committee are the members of the senate and house committees on education ~~and the members of the education division of the senate committee on finance and the education division of the house committee on appropriations~~. A majority of the members from each house is a quorum of the joint committee.

The joint committee shall determine the number of persons, and the person or persons to be recommended for each open seat.

Each person recommended by the regent candidate advisory council is considered to be nominated. Other persons may be nominated by a member of the committee at the meeting. Nominations may be made by committee members only. Nominations must be made for a specified congressional or student seat, or for any at-large seat.

The roll shall be called viva voce on the recommendation of regents. A majority vote of the members of the joint committee is required for a candidate to be recommended.

Welle moved that Senate Concurrent Resolution No. 1 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 1 was adopted.

Madam Speaker:

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

Senate Concurrent Resolution No. 2, A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that Senate Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 2

A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

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

The custodian of the Capitol shall reserve all parking space necessary on the Capitol grounds, Capitol Approach and Aurora Avenue for the use of the members and staff of the Legislature for the 78th session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives may designate necessary personnel to assist the custodian of the Capitol in this matter.

The Secretary of the Senate and the Chief Clerk of the House of Representatives may deduct from the check of any legislator or legislative employee in each year of the 78th session of the Legislature a sum adequate to cover the

exercise of the parking privilege defined in this resolution in conformity with the practice of the Department of Administration.

Welle moved that Senate Concurrent Resolution No. 2 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

MOTIONS AND RESOLUTIONS

Carruthers moved that the names of Anderson, I.; Wagenius; Orfield and Weaver be added as authors on H. F. No. 19. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, January 11, 1993. 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., Monday, January 11, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives