

STATE OF MINNESOTA  
SEVENTY-EIGHTH SESSION -- 1993

FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 14, 1993

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 the Reverend Dr. Donald M. Meisel, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Greenfield was excused.

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

### REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

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.

Reported the same back with the following amendments:

Page 1, line 10, before "school" insert "independent"

Page 1, after line 16, insert:

"Homestead and agricultural credit aid to be certified to and paid by the commissioner of education for taxes payable in 1993 and homestead and agricultural credit aid to be certified to the county auditor for taxes payable in 1994 in accordance with Minnesota Statutes, section 273.1398, subdivision 6, for independent school district No. 408, Verdi, shall be apportioned between independent school district No. 404, Lake Benton, and independent school district No. 583, Pipestone, based upon the ratio of the payable 1993 net tax capacity of the portion of independent school district No. 408, Verdi, contained in the school district after July 1, 1993, to the total payable 1993 net tax capacity of independent school district No. 408, Verdi.

For those unique taxing jurisdictions where disparity reduction aid is certified in accordance with Minnesota Statutes, section 273.1398, subdivision 6, and which are located within the former boundaries of independent school district No. 408, Verdi, the disparity reduction aid certified to and paid by the commissioner of education for taxes payable in 1993 and the disparity reduction aid certified to the county auditor for taxes payable in 1994 that would have been certified for independent school district No. 408, Verdi, shall be certified for the school district now located within that unique taxing jurisdiction."

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

The report was adopted.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Beard; Johnson, A.; Lasley; Morrison and Pauly introduced:

H. F. No. 37, A bill for an act relating to children; requiring background checks on foreign exchange host families; amending Minnesota Statutes 1992, section 245A.03, subdivision 2.

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

Reding; Johnson, R.; Bertram and Knickerbocker introduced:

H. F. No. 38, A bill for an act relating to retirement; providing an open appropriation for payment of state reimbursement for supplemental retirement benefits paid to volunteer firefighters; amending Minnesota Statutes 1992, section 424A.10, subdivision 3.

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

Bergson, Carruthers, Delmont, Luther and Bauerly introduced:

H. F. No. 39, A bill for an act relating to crime; clarifying the application of the tolling provision in the law governing criminal statutes of limitations; amending Minnesota Statutes 1992, section 628.26.

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

Waltman, Bettermann, Jennings, Bertram and Sviggum introduced:

H. F. No. 40, A bill for an act relating to crime; increasing penalties for intentionally mutilating a flag; clarifying the purpose of the law; amending Minnesota Statutes 1992, section 609.40, subdivision 2, and by adding a subdivision.

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

Cooper, Mosel, Kalis, Bauerly and Ness introduced:

H. F. No. 41, A bill for an act relating to state and local fiscal relations; changing the property tax classification rates for certain agricultural property; modifying the sales ratio; creating a capital bonding program for school building accessibility projects; modifying the capital expenditure disabled access and health and safety levy; appropriating money; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; 124.243, subdivision 1; 124.83, subdivision 4, and by adding a subdivision; 124.84, subdivisions 1 and 3; 270.12, by adding a subdivision; 273.11, by adding a subdivision; 273.13, subdivision 23; and 273.1398, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124C.

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

Kelso and Rodosovich introduced:

H. F. No. 42, A bill for an act relating to education; authorizing a student activity account for the Faribault academies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 128A.

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

Kinkel introduced:

H. F. No. 43, A bill for an act relating to transportation; allocating funding for town bridges replaced by culverts when replacement does not exceed \$20,000; amending Minnesota Statutes 1992, section 161.082, subdivision 2a.

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

Kinkel introduced:

H. F. No. 44, A bill for an act relating to crimes; excepting the sale of tobacco to Indian children from the prohibition of sale of tobacco to children under certain circumstances; amending Minnesota Statutes 1992, section 609.685, by adding a subdivision.

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

Bishop, Skoglund and Simoneau introduced:

H. F. No. 45, A bill for an act relating to probate; establishing a durable power of attorney for health care; proposing coding for new law as Minnesota Statutes, chapter 145C.

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

Olson, K.; Nelson; Olson, E.; Winter and Hugoson introduced:

H. F. No. 46, A bill for an act relating to traffic regulations; authorizing operation of recreational vehicle combinations with certain restrictions; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.81, by adding a subdivision.

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

Dawkins, Pugh, Macklin and Skoglund introduced:

H. F. No. 47, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

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

Ostrom; Jacobs; Goodno; Anderson, I., and Orfield introduced:

H. F. No. 48, A bill for an act relating to local government aids; providing for calculation and distribution of state aids to cities; amending Minnesota Statutes 1992, sections 273.1398, by adding a subdivision; 477A.011, subdivisions 1a, 20, and by adding subdivisions; 477A.013, by adding subdivisions; and 477A.03, subdivision 1; repealing Minnesota Statutes 1992, sections 477A.011, subdivisions 1b, 3a, 15, 16, 17, 18, 22, 23, 25, and 26; and 477A.013, subdivisions 2, 3, and 5.

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

Blatz introduced:

H. F. No. 49, A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Cooper introduced:

H. F. No. 50, A bill for an act relating to apiary law; removing state regulation of honey bees; amending Minnesota Statutes 1992, sections 18.022, subdivision 1; and 18.0228, subdivision 3; repealing Minnesota Statutes 1992, sections 19.50; 19.51; 19.52; 19.53; 19.54; 19.55; 19.56; 19.57; 19.58; 19.59; 19.60; 19.61; 19.62; 19.63; 19.64; and 19.65.

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

Evans, Long, Sarna, Farrell and Bishop introduced:

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

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

Johnson, A.; Vellenga; Tomassoni and Dawkins introduced:

H. F. No. 52, A bill for an act relating to education; providing grants for community-based program development; appropriating money.

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

## MOTIONS AND RESOLUTIONS

Vellenga moved that the name of Winter be added as an author on H. F. No. 11. The motion prevailed.

Cooper moved that the name of Kelso be added as an author on H. F. No. 13. The motion prevailed.

Greenfield moved that the names of Evans and Garcia be added as authors on H. F. No. 29. The motion prevailed.

Bettermann moved that the name of Kalis be added as an author on H. F. No. 32. The motion prevailed.

Davids moved that the name of Lynch be added as an author on H. F. No. 33. The motion prevailed.

Olson, E., moved that the name of Solberg be added as an author on H. F. No. 35. The motion prevailed.

Cooper moved that H. F. No. 7 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Governmental Operations and Gaming. The motion prevailed.

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, January 19, 1993. The motion prevailed.

Welle moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

## RECESS

## RECONVENED

The Speaker called the House to order at 6:30 p.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

## JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

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

The roll being called the following Senators answered to their names: Adkins, Anderson and Beckman.

Senator Moe, R. D., moved that further proceedings of the roll call be dispensed with. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable A. M. Sandy Keith, Chief Justice of the Supreme Court and the Associate Justices of the Supreme Court. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mark Dayton, State Auditor; Michael A. McGrath, State Treasurer and Hubert H. Humphrey III, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governor Elmer L. Andersen and his wife; Iantha LeVander, the wife of the late former Governor Harold LeVander, and former Governor Wendell R. Anderson. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Joanell M. Dyrstad, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Arne H. Carlson, Governor of the State of Minnesota and his official party. The Governor was escorted to the rostrum by the appointed committees.

#### ADDRESS BY THE GOVERNOR

Governor Arne H. Carlson was presented by the President of the Joint Convention, the Honorable Dee Long, and the Governor delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Moe, R. D., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

#### RECONVENED

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

#### ADJOURNMENT

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, January 19, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives