

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

NINTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 26, 1993

The House of Representatives convened at 6:30 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	Haukoos	Krinkie	Murphy	Reding	Tompkins
Anderson, I.	Dauids	Hausman	Krueger	Neary	Rest	Trimble
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Tunheim
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Van Dellen
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Vickerman
Beard	Dorn	Jaros	Lourey	Olson, M.	Sarna	Wagenius
Bergson	Erhardt	Jefferson	Luther	Opatz	Seagren	Waltman
Bertram	Evans	Jennings	Lynch	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, A.	Macklin	Orfield	Simoneau	Wejcman
Bishop	Frerichs	Johnson, R.	Mahon	Osthoff	Skoglund	Welle
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Smith	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ozment	Solberg	Winter
Brown, K.	Goodno	Kalis	McGuire	Pauly	Sparby	Wolf
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Stanius	Worke
Carruthers	Greiling	Kinkel	Molnau	Pelowski	Steensma	Workman
Clark	Gruenes	Klinzing	Morrison	Perlt	Swiggum	Spk. Long
Commers	Gutknecht	Krickerbocker	Mosel	Peterson	Swenson	
Cooper	Hasskamp	Koppendrayner	Munger	Pugh	Tomassoni	

A quorum was present.

Kelso, Lasley and Onnen were excused.

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.

REPORTS OF STANDING COMMITTEES

Rest from the Committee on Taxes to which was referred:

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rest and Carlson introduced:

H. F. No. 115, A bill for an act relating to natural resources; imposing liability for certain damages caused by beaver dams; amending Minnesota Statutes 1992, section 97B.665, subdivision 2, and by adding a subdivision.

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

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

H. F. No. 116, A bill for an act relating to education; authorizing a special levy for alternative program pupils; amending Minnesota Statutes 1992, section 124A.23, by adding a subdivision.

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

Kinkel, Rukavina, Tomassoni, Peterson and McGuire introduced:

H. F. No. 117, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

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

Kinkel; Kelso; Johnson, R.; Olson, K., and Ness introduced:

H. F. No. 118, A bill for an act relating to education; authorizing certain fund transfers under certain conditions; amending Minnesota Statutes 1992, section 124.243, subdivision 8.

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

Kinkel and Clark introduced:

H. F. No. 119, A bill for an act relating to health; clean indoor air; providing for an exemption from the prohibition on the use of tobacco products in public schools to permit use for religious or cultural purposes; amending Minnesota Statutes 1992, sections 144.4165; and 609.685, by adding a subdivision.

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

Ness, Kelso, Dorn, Pelowski and Morrison introduced:

H. F. No. 120, A bill for an act relating to education; changing the prohibition against starting the school year from before Labor day to before September 1; amending Minnesota Statutes 1992, section 126.12, subdivision 1.

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

Battaglia and Murphy introduced:

H. F. No. 121, A bill for an act relating to education; permitting an operating debt levy for the Babbitt school district.

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

Bertram, Osthoff, Reding, Frerichs and Sarna introduced:

H. F. No. 122, A bill for an act relating to the lottery; authorizing and regulating the use of video lottery machines; regulating video lottery manufacturers, retailers, operators, and establishments; prescribing penalties; amending Minnesota Statutes 1992, sections 349A.01, by adding subdivisions; 349A.05; 349A.06, subdivision 4; 349A.12, subdivision 4; 349A.13; 609.75, subdivision 4; and 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

Ness, Pelowski, Kalis, Cooper and Ozment introduced:

H. F. No. 123, A bill for an act relating to education; authorizing an additional day on which a referendum may be conducted; amending Minnesota Statutes 1992, section 124A.03, subdivision 2.

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

Luther, McGuire, Skoglund, Blatz and Bishop introduced:

H. F. No. 124, A bill for an act relating to crime; revising and simplifying the harassment crimes; expanding the definition of "harassment"; increasing penalties; amending Minnesota Statutes 1992, sections 609.605, subdivision 1; 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, subdivision 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.

Luther, Bergson, Carlson, Carruthers and Limmer introduced:

H. F. No. 125, A bill for an act relating to education; permitting independent school district No. 279, Osseo, to adopt an alternating eight-period schedule; exempting the district from certain statutory instructional time requirements through the 1995-1996 school year.

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

Waltman and Gruenes introduced:

H. F. No. 126, A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; 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.

Bishop; Long; Anderson, I.; Molnau and Luther introduced:

H. F. No. 127, A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

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

Jefferson, Welle, McGuire, Rukavina and Weaver introduced:

H. F. No. 128, 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.

Carruthers, Wagenius, Blatz and Skoglund introduced:

H. F. No. 129, A bill for an act relating to marriage dissolution; maintenance; permitting delinquent maintenance payments to be withheld from certain tax refunds; amending Minnesota Statutes 1992, section 289A.50, subdivision 5.

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

Weaver, Carruthers, McGuire, Blatz and Orenstein introduced:

H. F. No. 130, A bill for an act relating to sentencing; regulating the awarding of jail credit to certain offenders; 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.

Ostrom, Dawkins, Rest, Girard and McCollum introduced:

H. F. No. 131, A bill for an act relating to taxation; increasing the rate of the earned income credit; amending Minnesota Statutes 1992, section 290.0671, subdivision 1.

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

Mariani, Vellenga, Jefferson, Garcia and Bishop introduced:

H. F. No. 132, A bill for an act relating to the legislature; permitting the legislative coordinating commission to accept grants and gifts for public purposes; appropriating the grants and gifts; amending Minnesota Statutes 1992, section 3.305, by adding a subdivision.

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

Jefferson and Clark introduced:

H. F. No. 133, A bill for an act relating to corrections; allowing chiropractors to practice in institutions under the control of the commissioner of corrections; amending Minnesota Statutes 1992, section 241.021, subdivision 4.

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

Vellenga, Simoneau, Onnen, Huntley and Garcia introduced:

H. F. No. 134, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Hausman, Vellenga and Ness introduced:

H. F. No. 135, A bill for an act relating to education; giving school boards discretion to begin the school year before or after Labor Day; repealing Minnesota Statutes 1992, section 126.12, subdivision 1.

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

Bergson, Delmont, Perl, Mariari and Opatz introduced:

H. F. No. 136, A bill for an act relating to the state lottery; abolishing the authority of the state lottery board to authorize additional compensation for the director of the state lottery; repealing Minnesota Statutes 1992, section 349A.03, subdivision 3.

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

Tunheim; Johnson, R.; Sparby and Anderson, I., introduced:

H. F. No. 137, A bill for an act relating to taxation; motor fuel taxes; providing for refunds of fuel taxes paid on fuel used to operate passenger snowmobiles as part of the operations of a resort; amending Minnesota Statutes 1992, sections 296.01, by adding a subdivision; and 296.18, subdivision 1.

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

Cooper, Welle, Huntley, Luther and Gruenes introduced:

H. F. No. 138, A bill for an act relating to family services; expanding state support for programs for the elderly; appropriating money.

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

Bauerly introduced:

H. F. No. 139, A bill for an act relating to the town of Santiago; authorizing the establishment of a detached banking facility.

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

GENERAL ORDERS

Welle moved that the bill on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Bishop moved that the name of Ness be added as an author on H. F. No. 85. The motion prevailed.

Anderson, I., moved that the name of Tomassoni be added as an author on H. F. No. 89. The motion prevailed.

Leppik moved that the name of Rhodes be added as an author on H. F. No. 98. The motion prevailed.

Blatz moved that the name of McGuire be added as second author and the name of Bishop be added as third author on H. F. No. 100. The motion prevailed.

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 28, 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 6:50 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 Constitutional Officers of the State of Minnesota: Joan Anderson Grove, Secretary of State; 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 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 biennial budget message 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., Thursday, January 28, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives