

STATE OF MINNESOTA  
SEVENTY-EIGHTH SESSION -- 1993

THIRTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 13, 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 Father Fred Mertz, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Kahn was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Olson, M., 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 CHIEF CLERK

S. F. No. 270 and H. F. No. 516, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Opatz moved that S. F. No. 270 be substituted for H. F. No. 516 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 406 and H. F. No. 444, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Huntley moved that S. F. No. 406 be substituted for H. F. No. 444 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 431 and H. F. No. 318, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Bishop moved that the rules be so far suspended that S. F. No. 431 be substituted for H. F. No. 318 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 485 and H. F. No. 812, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rodosovich moved that S. F. No. 485 be substituted for H. F. No. 812 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 589 and H. F. No. 680 which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Rice moved that the rules be so far suspended that S. F. No. 589 be substituted for H. F. No. 680 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 629 and H. F. No. 819, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Johnson, R., moved that S. F. No. 629 be substituted for H. F. No. 819 and that the House File be indefinitely postponed. The motion prevailed.

### REPORTS OF STANDING COMMITTEES

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 147, A bill for an act relating to retirement; increasing the individual retirement account plans employer contribution rate; permitting certain persons to have employer contributions transferred from the teachers retirement association to the individual retirement account plan; amending Minnesota Statutes 1992, sections 354B.04, subdivisions 1 and 2; and 354B.05, subdivision 1; and Laws 1990, chapter 570, article 3, section 11; proposing coding for new law in Minnesota Statutes, chapter 354B.

Reported the same back with the following amendments:

Page 2, delete sections 3 and 4

Page 3, line 16, strike "no" and insert "less than one year of"

Page 3, line 29, delete "5" and insert "3" and delete "6" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "sections" and insert "section"

Page 1, line 8, delete "and 354B.05, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 690, A bill for an act relating to retirement; public employees retirement association; disability benefits; reducing the reduction in benefits to coordinate them with amounts received under workers' compensation law for certain former employees.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 768, A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

Reported the same back with the following amendments:

Page 1, line 8, delete "(a)"

Page 1, delete lines 17 to 25 and insert:

"must be considered eligible to receive a retirement annuity, upon reaching normal retirement age, from the general state employees retirement plan of the Minnesota state retirement system, notwithstanding the length of service vesting requirement in effect on the date of termination of state service by the person."

Page 2, delete lines 1 to 36

Page 3, delete lines 1 to 19

Page 3, line 20, delete "3" and insert "2"

Page 3, line 21, delete "purchasing" and insert "described in"

Page 3, line 22, delete "service credit under"

Page 3, delete lines 28 to 30

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 147, 690 and 768 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 270, 406, 431, 485, 589 and 629 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olson, K.; Winter; Mosel; Kalis and Ostrom introduced:

H. F. No. 1719, A bill for an act relating to natural resources; appropriating money to the commissioner of natural resources for the Swan Lake and Heron Lake projects; land acquisition and development.

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

Jefferson, Lieder and Morrison introduced:

H. F. No. 1720, A bill for an act relating to metropolitan government; requiring at least one member of metropolitan transit commission to be disabled user of transit system; amending Minnesota Statutes 1992, section 473.404, subdivision 2.

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

## HOUSE ADVISORIES

The following House Advisories were introduced:

Cooper; Brown, C.; Solberg; Nelson and Davids introduced:

H. A. No. 8, A proposal to study the issue of part-time peace officers in certain cities.

The advisory was referred to the Committee on Local Government and Metropolitan Affairs.

Cooper; Brown, C.; Dauner; Nelson and Davids introduced:

H. A. No. 9, A proposal to conduct a study on permitting certain contracts by counties for audits.

The advisory was referred to the Committee on Local Government and Metropolitan Affairs.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 111, A bill for an act relating to highways; designating the B. E. Grottum memorial highway in Jackson county; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Olson, K., moved that the House concur in the Senate amendments to H. F. No. 111 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 111, A bill for an act relating to highways; designating the B. E. Grottum memorial highway in Jackson county and the Wally Nelson highway; amending Minnesota Statutes 1992, section 161.14, by adding subdivisions.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

## CONSENT CALENDAR

H. F. No. 1528 was reported to the House.

Lasley moved that H. F. No. 1528 be continued on the Consent Calendar. The motion prevailed.

S. F. No. 605, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 198, A bill for an act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.

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

The bill was passed and its title agreed to.

## SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

## GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Orfield moved that his name be stricken as an author on H. F. No. 465. The motion prevailed.

Beard moved that the name of Trimble be shown as chief author on H. F. No. 877. The motion prevailed.

Bauerly moved that the name of Hausman be added as an author on H. F. No. 1201. The motion prevailed.

Beard moved that the name of Milbert be shown as chief author on H. F. No. 1335. The motion prevailed.

Orfield moved that his name be stricken as an author on H. F. No. 1675. The motion prevailed.

Rest moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, April 7, 1993, when the vote was taken on the Sparby amendment to H. F. No. 163, the third engrossment." The motion prevailed.

Skoglund moved that H. F. No. 437 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance. The motion prevailed.

Rest moved that H. F. No. 931 be recalled from the Committee on Taxes and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Bertram moved that H. F. No. 1030 be returned to its author. The motion prevailed.

Limmer moved that H. F. No. 1031 be returned to its author. The motion prevailed.

Olson, E., moved that H. F. No. 1032 be returned to its author. The motion prevailed.

Girard moved that H. F. No. 1033 be returned to its author. The motion prevailed.

Sparby moved that H. F. No. 1034 be returned to its author. The motion prevailed.

## ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, April 14, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

