STATE OF MINNESOTA

THIRD SPECIAL SESSION - 1981

FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, DECEMBER 14, 1981

The House of Representatives convened at 2:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor W. Dennis Pederson, North Heights Lutheran Church, Roseville, Minnesota.

The roll was called and the following members were present:

Aasness	Evans	Kalis	O'Connor	Sherman
Ainley	Ewald	Kelly	Ogren	Sherwood
Anderson, B.	Fjoslien	Knickerbocker	Olsen	Sieben, M.
Anderson, G.	Forsythe	Kostohryz	Onnen	Simonéau
Anderson, I.	Frerichs	Kvam	Osthoff	Skoglund
Anderson, R.	Greenfield	Laidig	Otis	Stadum
Battaglia	Gruenes	Lemen	Peterson, B.	Staten
Begich	Gustafson	Levi	Peterson, D.	Stowell
Berkelman	Halberg	Long	Piepho	Stumpf
Blatz	Hanson	Ludeman	Pogemiller	Sviggum
Brandl	Harens	Luknic	Redalen	Swanson
Brinkman	Hauge	Mann	Reding	Tomlinson
Byrne	Haukoos	Marsh	Rees	Valan
Carlson, D.	Heap	McCarron	Reif	Valento
Carlson, L.	Heinitz	McDonald	Rice	Vanasek
Clark, J.	Himle	McEachern	Rodriguez, C.	Vellenga
Clark, K.	Hoberg	Mehrkens	Rodriguez, F.	Voss
Dahlvang	Hokanson	Metzen	Rose	Weaver
Dean	Hokr	Minne	Rothenberg	Welch
Den Ouden	Jacobs	Munger	Samuelson	Welker
Drew	Jennings	Murphy	Sarna	Wenzel
Eken	Johnson, C.	Nelsen, B.	Schafer	Wieser
Elioff	Johnson, D.	Nelson, K.	Schoenfeld	Wynia
Ellingson	Jude	Niehaus	Schreiber	Zubay
Erickson	Kahn	Novak	Searles	Spkr. Sieben, H.
Esau	Kaley	Nysether	Shea	

A quorum was present.

Clawson, Dempsey, Norton and Wigley were excused. Lehto was excused until 2:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Niehaus 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

Mann from the Committee on Transportation to which was referred:

H. F. No. 2, A bill for an act relating to motor vehicles; defining vans; providing for the registration and taxation of certain vans as passenger automobiles; amending Minnesota Statutes 1980, Section 168.011, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 168.011, Subdivisions 7 and 10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

- "Section 1. Minnesota Statutes 1981 Supplement, Section 168.011, Subdivision 7, is amended to read:
- Subd. 7. [PASSENGER AUTOMOBILE.] "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than ten persons including station wagons but excluding motorcycles and motor scooters. For purposes of taxation only, "passenger automobile" includes pickup trucks (AND STATION WAGONS) and vans.
- Sec. 2. Minnesota Statutes 1981 Supplement, Section 168.011, Subdivision 10, is amended to read:
- Subd. 10. [TRUCK.] "Truck" means any motor vehicle designed and used for carrying things other than passengers, except pickup trucks and vans included within the definition of passenger automobile in subdivision 7.
- Sec. 3. Minnesota Statutes 1980, Section 168.011, is amended by adding a subdivision to read:
- Subd. 28 [VAN.] "Van" means any vehicle of box-like design with no barrier or separation between the operator's area and the remainder of the passenger-carrying or cargocarrying area, and with a manufacturers rated capacity of 2,000 pounds or less.
- Sec. 4. Minnesota Statutes 1980, Section 168.011, is amended by adding a subdivision to read:
- Subd. 29. [PICKUP TRUCKS.] "Pickup truck" means any truck with a manufacturer's rated capacity of 2,000 pounds or less.

- Sec. 5. Minnesota Statutes 1981 Supplement, Section 168.013, Subdivision 1c, is amended to read:
- Subd. 1c. [FARM TRUCKS.] (1) On farm trucks having a gross weight of not more than 57,000 pounds, the tax shall be based on total gross weight and shall be 45 percent of the Minnesota base rate prescribed by subdivision 1e during each of the first eight years of vehicle life, but in no event less than \$35, and during the ninth and succeeding years of vehicle life the tax shall be 27 percent of the Minnesota base rate prescribed by subdivision 1e, but in no event less than \$21, except as otherwise provided in this subdivision. On farm trucks having a gross weight of not more than 57,000 pounds during each of the first eight years of vehicle life, the tax shall be:
- (a) for the registration year 1982, 34 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the registration year 1983, 38 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the registration year 1984, 42 percent of the tax imposed in the Minnesota base rate schedule;
- (d) for the registration year 1985, and each succeeding year, 45 percent of the tax imposed in the Minnesota base rate schedule.

On farm trucks having a gross weight of not more than 57,000 pounds during the ninth and succeeding years of vehicle life, the tax shall be:

- (a) for the 1982 registration year, 20 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the 1983 registration year, 22 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the 1984 registration year, 24 percent of the tax imposed in the Minnesota base rate schedule;
- (d) for the 1985 registration year, and each succeeding year, 27 percent of the Minnesota base rate schedule.
- (2) On farm trucks having a gross weight of more than 57,000 pounds, the tax shall be 60 percent of the Minnesota base rate during the first eight years of vehicle life and 36 percent of the Minnesota base rate during the (TENTH) ninth and succeeding years, except as otherwise provided in this subdivision. On farm trucks having a gross weight of more than 57,000 pounds during the first eight years of vehicle life, the tax shall be:

- (a) for the registration year 1982, 38 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the registration year 1983, 45 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the registration year 1984, 53 percent of the tax imposed in the Minnesota base rate schedule;
- (d) for the registration year 1985, and each succeeding year, 60 percent of the tax imposed in the Minnesota base rate schedule.

On farm trucks having a gross weight of more than 57,000 pounds, during the ninth and succeeding years of vehicle life, the tax shall be:

- (a) for the 1982 registration year, 23 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the 1983 registration year, 27 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the 1984 registration year, 31 percent of the tax imposed in the Minnesota base rate schedule;
 - (d) for the 1985 registration year, and each succeeding year, 36 percent of the tax imposed in the Minnesota base rate schedule.

In addition to the gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semitrailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects.

- Sec. 6. Minnesota Statutes 1981 Supplement, Section 168.-013, Subdivision 1e, is amended to read:
- Subd. 1e. [TRUCKS; TRACTORS; COMBINATIONS; EX-CEPTIONS.] On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semi-trailer combinations except those defined as farm combinations and urban combinations and on commercial zone vehicles, the tax based on total gross weight shall be graduated according to the Minnesota base rate schedule prescribed in this subdivision, but in no event less than \$120.

MINNESOTA BASE RATE SCHEDULE Scheduled taxes include five percent

surtax provided for in subdivision 14

TOTAL GROSS

WEIGHT

IN	POUNDS	Tax
A	0 - 1,500	\$ 15
В	1,501 - 3,000	20
C	3,001 - 4,500	25
D	4,501 - 6,000	35
E	6,001 - 9,000	45
F	9,001 - 12,000	70
G	12,001 - 15,000	105
H	15,001 - 18,000	145
I	18,001 - 21,000	190
J	21,001 - 27,000	270
K	27,001 - 33,000	360
L	33,001 - 39,000	470
M	39,001 - 45,000	. 590
N	45,001 - 51,000	710
0	51,001 - 57,000	860
P	57,001 - 63,000	1010
Q	63,001 - 69,000	1180
R	69,001 - 73,280	1320
S	73,281 - 78,000	1520
T	78,001 - 81,000	1620

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of \$50 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to provisions of subdivision 12.

All truck-tractors except those herein defined as farm and urban truck-tractors and commercial zone vehicles shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of such truck-tractor and any semi-trailer or semitrailers which the applicant proposes to combine with the truck-tractor. In addition, to the gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects.

Commercial zone trucks include only all trucks and all trucktractors and (SEMI-TRAILERS) semi-trailer combinations which are:

- (1) used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consists of at least 60 percent obtained solely from local cartage carriage, and are operated solely within the area defined in section 221.296, subdivision 1; or,
- (2) operated by an interstate carrier registered pursuant to section 221.61 or 221.62, or by an authorized local cartage carrier or other carrier receiving operating authority pursuant to chapter 221, and operated solely within a zone exempt from regulation by the Interstate Commerce Commission pursuant to 49 U.S.C. 10526(b).

The license plates issued for commercial zone vehicles shall be plainly marked. Any person operating a commercial zone vehicle outside the zone or area in which its operation is authorized is guilty of a misdemeanor and, in addition to the penalty therefor, shall have the registration of the vehicle as a commercial zone vehicle revoked by the registrar and shall be required to re-register the vehicle at 100 percent of the full annual tax prescribed in the Minnesota base rate schedule, and no part of this tax shall be refunded during the balance of the registration year.

On commercial zone trucks the tax shall be based on the total gross weight of the vehicle and during the first eight years of vehicle life shall be 75 percent of the Minnesota base rate schedule. During the ninth and succeeding years of vehicle life the tax shall be 50 percent of the Minnesota base rate schedule, except as otherwise provided in this subdivision. On commercial zone trucks, during the ninth and succeeding years of vehicle life, the tax shall be:

- (a) for the 1982 registration year, 35 percent of the tax imposed in the Minnesota base rate schedule;
- for the 1983 registration year, 40 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the 1984 registration year, 45 percent of the tax imposed in the Minnesota base rate schedule:
- (d) for the 1985 registration year, and each succeeding year, 50 percent of the tax imposed in the Minnesota base rate schedule.

On all trucks, truck-tractors and semi-trailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations and commercial zone vehicles specifically provided for in this sub-division, the tax for the first eight years of vehicle life shall be 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life, the tax shall be 75 percent of the Minnesota base rate prescribed by this subdivision, except as otherwise provided in this subdivision.

On all trucks, truck-tractors and semi-trailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations and commercial zone vehicles specifically provided for in this subdivision, during each of the first eight years of vehicle life the tax shall be:

- (a) for the registration year 1982, 83 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the registration year 1983, 89 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the registration year 1984, 95 percent of the tax imposed in the Minnesota base rate schedule;
- (d) for the registration year 1985, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.
- 7. Minnesota Statutes 1981 Supplement, Section 168.013. Subdivision 1i, is amended to read:
- Subd. 1i. [URBAN TRUCKS.] On all vehicles registered as urban trucks for the registration year 1981, or any part thereof, and which are not registered as commercial zone trucks for the registration year 1982 and succeeding years, the tax shall be:

- (a) for the registration year 1982, 50 percent of the tax imposed in the Minnesota base rate schedule;
- (b) for the registration year 1983, 67 percent of the tax imposed in the Minnesota base rate schedule;
- (c) for the registration year 1984, 84 percent of the tax imposed in the Minnesota base rate schedule;
- (d) for the registration year 1985, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Beginning with the registration year 1985, the registrar shall not issue urban license plates.

For purposes of this subdivision, "urban trucks" include only all trucks and all truck-tractors and semi-trailer combinations used exclusively in transporting property within the metropolitan area consisting of Hennepin, Ramsey, Scott, Dakota, Anoka, Washington and Carver counties or within the corporate limits of any city or contiguous cities or within one mile of cities of the first and second class. For the purposes of this clause a land area ceded to the United States of America under General Laws 1889, Chapter 57, is a statutory city. The vehicle shall not be operated outside the metropolitan area or corporate limits of any such city or contiguous cities, or beyond one mile of cities of the first and second class; except that the commissioner of public safety may by special permit authorize the permanent removal of the vehicle from any registration area to another.

- Sec. 8. Minnesota Statutes 1980, Section 168.10, Subdivision 1c, is amended to read:
- Subd. 1c. [COLLECTOR'S VEHICLE, COLLECTOR LICENSE.] Any motor vehicle, including any truck, that is at least 20 model years old and manufactured after 1935, or any motor vehicle of a defunct make (,) defined as any car or truck originally licensed as a separate identifiable make as designated by the division of motor vehicles, and owned and operated solely as a collector's vehicle, shall be listed for taxation and registration as follows: An affidavit shall be executed stating the name and address of the person from whom purchased and of the new owner, the make of the motor vehicle, year and number of the model, the manufacturer's identification number and that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes. The owner must also prove that he or she also has one or more vehicles with regular license plates. If the registrar is satisfied that the affidavit is true and correct and the owner pays a \$20 tax, the registrar shall list (SUCH) the vehicle for taxation and registration and shall issue number plates.

The number plates (SO) issued shall bear the inscription "Collector," "Minnesota" and the registration number, but no date. The number plates are valid without renewal as long as the vehicle is in existence and shall be issued for the applicant's use only for (SUCH) the vehicle. The registrar has the power to revoke (SUCH) the plates for failure to comply with this subdivision.

In the event of the defacement, loss or destruction of (SUCH) the number plates, the reigstrar, upon receiving and filing a sworn statement of the vehicle owner, setting forth the circumstances, together with any defaced plates and the payment of a \$2 fee, shall issue duplicate plates specially designed for that purpose. The registrar shall then note on his records the issue of (SUCH) the new number plates and shall proceed in (SUCH A) the manner as he may deem advisable to cancel and call in the original plates.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 7 of this act are effective the day following enactment and apply to registration year 1982 and subsequent years. Section 8 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to motor vehicles; defining vans and pickup trucks; providing for the registration and taxation of certain vans as passenger automobiles; correcting references to the taxation of farm trucks and commercial zone combinations; defining urban trucks; and certain collector's vehicles; including certain trucks among the motor vehicles entitled to collector license plates; amending Minnesota Statutes 1980, Sections 168.011, by adding subdivisions; 168.10, Subdivision 1c; and Minnesota Statutes 1981 Supplement, Sections 168.011, Subdivisions 7 and 10; and 168.013, Subdivisions 1c, 1e and 1i."

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

The report was adopted.

POINT OF ORDER

Schreiber raised a point of order pursuant to rule 1.16. The Speaker ruled the point of order not well taken.

SECOND READING OF HOUSE BILLS

H. F. No. 2 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, M., and Levi introduced:

H. F. No. 15, A bill for an act relating to education; authorizing certain school districts in Washington County which did not qualify for the grandfather levy to make an additional levy for school maintenance purposes; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.

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

Voss, for the Committee on Local and Urban Affairs, introduced:

H. F. No. 16, A bill for an act relating to local governments; guaranteeing payment levels and payment dates for local government aids; allowing local governmental units to recertify levies in the event of cutbacks in local government aids.

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

Redalen introduced:

H. F. No. 17, A bill for an act relating to taxation; limiting eligibility for the state school agricultural credit; amending Minnesota Statutes 1981 Supplement, Section 124.213, Subdivision 1.

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

Kalis introduced:

H. F. No. 18, A bill for an act relating to taxation; providing an exception to the property tax credits limitation; amending Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 15b.

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

Erickson, Eken, Kvam, Brinkman and Dempsey introduced:

H. F. No. 19, A bill for an act relating to taxation; providing that farm income is wholly apportioned to Minnesota; amending Minnesota Statutes 1981 Supplement, Section 290.-17, Subdivision 2.

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

McEachern introduced:

H. F. No. 20, A bill for an act relating to education; repealing the Minnesota Improved Learning and Principal-Teacher, Counselor-Teacher, and Career Teacher Act; cancelling an appropriation; repealing Minnesota Statutes 1981 Supplement, Sections 121.501 to 121.507; 124.251; and Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 19.

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

MOTIONS AND RESOLUTIONS

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

Schreiber moved that pursuant to rule 1.15, H. F. No. 7 be recalled from the Committee on Taxes, be given its second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Schreiber and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Clark, J.	Forsythe	Hokanson	Lemen
Ainley	Clark, K.	Frerichs	Hokr	Levi
Anderson, B.	Dahlvang	Greenfield	Jacobs	Long
Anderson, G.	Dean	Gruenes	Jennings	Ludeman
Anderson, I.	Den Ouden	Gustafson	Johnson, C.	Luknic
Battaglia	Drew	Halberg	Johnson, D.	Mann
Begich	Eken	Hanson	Jude	Marsh
Berkelman	Elioff	Harens	Kahn	McCarron
Blatz	Ellingson	Hauge	Kaley	McDonald
Brandl	Erickson	Haukoos	Kalis	McEachern
Brinkman	Esau	Неар	Knickerbocker	Mehrkens
Byrne	Evans	Heinitz	Kostohryz	Metzen
Carlson, D.	Ewald	Himle	Kvam	Minne
Carlson, L.	Fjoslien	Hoberg	Laidig	Munger
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Peterson, D. Rothenberg Vanasek Murphy Simoneau Nelsen, B. Vellenga Piepho Samuelson Skoglund Nelson, K. Pogemiller Sarna Stadum Voss Niehaus Redalen Schafer Staten Weaver Novak Reding Schoenfeld Stowell Welch Nysether O'Connor Welker Rees Schreiber Stumpf Wenzel Reif Sviggum Searles Rice Wieser Ogren Shea Swanson Rodriguez, C. Wynia Olsen Sherman Tomlinson Rodriguez, F. Valan Zubay Onnen Sherwood Osthoff Sieben, M. Valento Spkr. Sieben, H. Rose Otis

Schreiber moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question was taken on the Schreiber motion to recall H. F. No. 7 from the Committee on Taxes and the roll was called.

Eken moved that those not voting be excused from voting. The motion prevailed.

There were 62 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	Olsen	Sherwood
Ainley	Frerichs	Kvam	Onnen	Stadum
Anderson, R.	Gruenes	Laidig	Peterson, B.	Stowell
Blatz	Halberg	Lemen	Piepho	Sviggum
Carlson, D.	Haukoos	Levi	Redalen	Valan
Dean	Heap	Ludeman	Rees	Valento
Den Ouden	Heinitz	Luknic	Reif	Weaver
Drew	Himle	Marsh	Rose	Welker
Erickson	Hoberg	McDonald	Rothenberg	Wieser
Esau	Hokr	Mehrkens	Schafer	Zubay
Byans	Jennings	Nelsen, B.	Schreiber	-
Ewald	Johnson, D.	Niehaus	Searles	
Fjoslien	Kaley	Nysether	Sherman	

Those who voted in the negative were:

Anderson, B.	Elioff	Lehto	Otis	Staten
Anderson, G.	Ellingson	Long	Peterson, D.	Stumpf
Anderson, I.	Greenfield	Mann	Pogemiller	Swanson
Battaglia	Gustafson	McCarron	Reding	Tomlinson
Begich	Hanson	McEachern	Rice	Vanasek
Berkelman	Harens	Metzen	Rodriguez, C.	Vellenga
Brandl	Hauge	Minne	Rodriguez, F.	Voss
Brinkman	Hokanson	Munger	Samuelson	Welch
Byrne	Jacobs	Murphy	Sarna	Wenzel
Carlson, L.	Johnson, C.	Nelson, K.	Schoenfeld	Wynia
Clark, J.	Jude	Novak	Shea	Spkr. Sieben, H.
Clark, K.	Kahn	O'Connor	Sieben, M.	
Dahlvang	Kalis	Ogren	Simoneau	
Eken	Kostohryz	Osthoff	Skoglund	
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The motion did not prevail.

ADJOURN MENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, December 16, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, December 16, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

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