

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1982

## EIGHTIETH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 3, 1982

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 Reverend Robert B. Bailey, Brooklyn United Methodist Church, Brooklyn Center, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Anderson, R.; Hoberg; Johnson, C.; Marsh and Simoneau were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be dis-

pensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

#### REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1545, 1731, 1819, 1296, 1738, 930, 1220, 2050, 1730, 773, 1803 and 2098 and S. F. Nos. 2174, 1481 and 1856 have been placed in the members' files.

S. F. No. 1591 and H. F. No. 1731, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Reding moved that S. F. No. 1591 be substituted for H. F. No. 1731 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1443 and H. F. No. 849, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Reif moved that the rules be so far suspended that S. F. No. 1443 be substituted for H. F. No. 849 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mann from the Committee on Transportation to which was referred:

H. F. No. 1023, A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; prohibiting the issuance of arrest warrants for violations of parking laws by certain courts; defining parking violations and participating jurisdictions; requiring notice to violators; appropriating money; amending Minnesota Statutes 1980, Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3, and by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [168.14] [APPLICATIONS FOR RENEWAL; NOTICE OF UNPAID FINES.]

*Subdivision 1. [APPLICATION; NOTICE.] When the registrar prepares to send an application for renewal of a motor vehicle registration or when an application is an original application or the next registration occurring after a dealer or distributor has registered a motor vehicle, the registrar shall check his records to determine whether the applicant has been charged with parking or other traffic violations for which the records collected pursuant to section 2 show any unpaid fine. If unpaid fines are shown, a notification of the amount of each fine and the court to which it is due shall be attached to the application form. The notification shall also state that the applicant is required to pay the fines to the appropriate courts or have the fines stayed, suspended, waived or rescinded by the appropriate courts before he can register or renew the registration of the motor vehicle.*

*Subd. 2. [LATE REGISTRATION FEE.] Any person who does not renew his vehicle registration within the time allowed by law shall pay a late registration fee of \$2.50 in order to register his motor vehicle. The \$2.50 fee shall apply separately to each vehicle which is not timely registered.*

*Subd. 3. [FEES.] The commissioner may impose a fee of up to \$1.00 per violation on any application for registration or renewal of registration which contains a notification of unpaid traffic or parking fines. Moneys collected pursuant to this subdivision shall be deposited in the "department of public safety violation surcharge account" established under section 2, subdivision 5.*

**Sec. 2. Minnesota Statutes 1981 Supplement, Section 169.95, is amended to read:**

**169.95 [COURTS TO KEEP SEPARATE RECORDS AND MAKE REPORTS OF VIOLATIONS AND UNPAID FINES.]**

*Subdivision 1. [RECORDS.] Every magistrate or judge of a court not of record, and every clerk of a court of record, shall keep a full record of every case in which a person is charged with any violation of this chapter or of any other law, or city ordinance, regulating the operation or parking of vehicles on highways.*

*Subd. 2. [TRAFFIC VIOLATIONS.] Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this chapter or other law, or city ordinance, regulating the operation of vehicles on highways, every magistrate of the court, or clerk of the court of record in which such conviction was had or bail was forfeited, shall prepare and immediately forward to the department of public safety an abstract of the record of the court covering the case in which the person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.*

The abstract must be made upon a form furnished by the department of public safety, and shall include the name and address of the party charged, the driver's license number of the person involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited, and the amount of the fine or forfeiture, as the case may be.

Every court of record shall also forward a like report to the department of public safety upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in the office and shall be ground for removal therefrom.

**Subd. 3. [PARKING AND OPERATING VIOLATIONS.]** *Every magistrate or judge of a court not of record, and every clerk of a court of record shall, within 30 days after the date payment of a fine on a parking ticket is due, or within 30 days after a fine imposed for a traffic violation other than parking is due, report to the county sheriff for entry into the department of public safety records system, if the fine is unpaid. This report shall be made in the form required by the commissioner of public safety and shall contain the following information:*

(a) *In parking violation cases, the name and address of the registered owner of the motor vehicle if known, the license plate number of the motor vehicle involved in the violation, the nature of the offense, the date the ticket was issued, and the amount of the fine; or*

(b) *In all other cases, the license plate number of the vehicle involved in the violation if known, the name and address of the person charged, the nature and date of the offense, and the date the fine was imposed.*

**Subd. 4. [REPORTS WHEN FINES PAID.]** *When a fine which has been the subject of a report of nonpayment pursuant to subdivision 3 is paid to the court or the court stays, waives, rescinds, or suspends the fine, the clerk of a court of record or the judge or magistrate of a court not of record shall report to the department of public safety or to the county sheriff's department for entry into the public safety system in the form required by the department that the fine has been paid, stayed, waived, rescinded, or suspended.*

**Subd. 5. [SURCHARGE ON PARKING TICKETS.]** *From January 1, 1983 to January 1, 1984, every magistrate or judge of a court not of record and every clerk of a court of record, shall*

*impose a surcharge of \$1.00 to be paid by the violator, on every parking fine collected. The clerk of court shall collect and forward the surcharge to the county auditor with designation of its source as a parking violation surcharge, with the same frequency as fines are transmitted. The county auditor shall then transmit the surcharges to the state treasurer to be deposited in a special account, designated as the "department of public safety violation surcharge account." All moneys in the public safety violation surcharge account are appropriated to the department of public safety for the purpose of operating a centralized system for the reporting of traffic and parking violations for which fines due and payable are unpaid. The appropriation shall be available January 1, 1984.*

*Subd. 6. [SURCHARGES MAY BE CONTINUED.] After January 1, 1984, county boards may authorize imposition of a surcharge of up to \$1.00 on parking violation fines for the purpose of paying expenses incurred by the county in making the reports required by subdivisions 3 and 4. Surcharges collected pursuant to this subdivision shall be the property of the county.*

**Section 3.** Minnesota Statutes 1980, Section 169.99, Subdivision 1, is amended to read:

**Subdivision 1.** Except as provided in (SUBDIVISION 3) *subdivision 4*, there shall be a uniform ticket issued throughout the state by the police and peace officers or by any other person for violations of the highway traffic regulations, which are Minnesota Statutes 1957, Chapter 169 and acts amendatory thereof, and ordinances in conformity thereto. (SUCH) *The* uniform traffic ticket shall be in the form and have the effect of a summons and complaint. There shall also be included on the uniform ticket a receipt in lieu of bail which, when signed by the defendant, shall be a guarantee by him of his appearance in the court having jurisdiction over the matter. The uniform traffic ticket shall consist of four parts, on paper sensitized so that copies may be made without the use of carbon paper, as follows:

(1) The complaint, with reverse side for officer's notes for testifying in court, driver's past record, and court's action, printed on which paper;

(2) The abstract of court record for the department of public safety, which shall be a copy of the complaint with the certificate of conviction on the reverse side, printed on yellow paper;

(3) The police record, which shall be a copy of the complaint and of the reverse side of copy (1), printed on pink paper;

(4) The summons, with, on the reverse side, such information as the court may wish to give concerning the traffic viola-

tions bureau, and a plea of guilty and waiver, printed on off-white tag stock.

Sec. 4. Minnesota Statutes 1980, Section 169.99, is amended by adding a subdivision to read:

*Subd. 4. [SPECIAL NOTICE REQUIRED.] The copy of the uniform traffic ticket provided to the violator shall include a notice specifying the amount of the surcharge imposed pursuant to section 2 and the consequences which may result pursuant to section 171.16, subdivision 3, if the violator fails to respond to the citation.*

Sec. 5. Minnesota Statutes 1981 Supplement, Section 171.16, Subdivision 3, is amended to read:

**Subd. 3. [SUSPENSION FOR FAILURE TO PAY FINE.]**  
When any court reports to the commissioner that a person: (1) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation or parking of motor vehicles (,) or (2) has been sentenced to the payment of a fine or had a penalty assessment levied against him or her, or sentenced to a fine upon which a penalty assessment was levied, and ((3)) has refused or failed to comply with that sentence or to pay the penalty assessment, notwithstanding the fact that the court has determined that the person has the ability to pay the fine or penalty assessment, the commissioner shall **(SUSPEND THE DRIVER'S LICENSE OF SUCH PERSON FOR 30 DAYS FOR A REFUSAL OR FAILURE TO PAY OR UNTIL NOTIFIED BY THE COURT THAT THE FINE OR PENALTY ASSESSMENT, OR BOTH IF A FINE AND PENALTY ASSESSMENT WERE NOT PAID, HAS BEEN PAID)** take the following action:

*(a) In the case of conviction of a moving traffic violation, except the operating or driving of a motor vehicle with license plates or tabs which expired less than 60 days previously, he shall suspend the driver's license of the person until notified by the court or the county sheriff's department that an appearance has been made or the fine has been paid;*

*(b) In the case of a parking violation, he shall refuse to issue license plates or tabs for the vehicle named in the citation until notified by the court or the county sheriff's department that an appearance has been made or the fine has been paid. If the vehicle named in the citation is transferred to another following the issuance of the citation, the commissioner shall issue license plates or tabs to the new owner but not for any other vehicle owned by the former owner of the vehicle named in the citation until notified by the court or the county sheriff's department that an appearance has been made or the fine has been paid. For purposes of this subdivision, the term "owner" has the meaning*

*given it in section 171.01, subdivision 8, except that in the event the vehicle is subject of a lease, the lessee shall be deemed the owner;*

*(c) In a case where the violation of which the person was convicted was operation or parking of a motor vehicle on a public highway with license plates or tabs which expired 60 or more days previously, the driver's license of the owner shall be suspended until the commissioner is notified by the court or the county sheriff's department that an appearance has been made or the fine has been paid.*

Sec. 6. Minnesota Statutes 1980, Section 171.16, is amended by adding a subdivision to read:

*Subd. 6. [DEFINITIONS.] For the purposes of this section, the term "parking violation" means a violation of the provisions of sections 169.32, 169.34 to 169.36, or any law or ordinance adopted by a local authority in conformance with these sections or with section 169.04, clause (1), or any other law or ordinance providing for or regulating the parking of a motor vehicle.*

Sec. 7. Minnesota Statutes 1980, Section 171.16, is amended by adding a subdivision to read:

*Subd. 7. [REINSTATEMENT FEES.] Any person whose driver's license has been suspended pursuant to subdivision 3 shall pay a fee of \$30 before his driver's license is reinstated.*

Sec. 8. [APPROPRIATION.]

*There is appropriated to the commissioner of public safety from the general fund the sum of \$229,000 for the purposes of preparing to administer sections 1 to 7. This sum is available until June 30, 1983.*

Sec. 9. [EFFECTIVE DATE.] *Section 1 is effective January 1, 1984. Section 2, subdivisions 1, 2, 3, 4, and 6 are effective January 1, 1984. Section 2, subdivision 5 is effective January 1, 1983. Sections 3 and 4 are effective January 1, 1983. Section 5 is effective January 1, 1984. Sections 6 and 7 are effective January 1, 1983. Section 8 is effective June 30, 1982."*

Delete the title and insert:

*"A bill for an act relating to public safety; establishing a system for collection of unpaid fines; authorizing fees and surcharges; appropriating money; amending Minnesota Statutes 1980, Sections 169.99, Subdivision 1, and by adding a subdivision; 171.16, by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections 169.95; 171.16, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 168."*

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

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1906, A bill for an act relating to local government; allowing the city of Orr and the town of Leiding to assess the cost of maintenance of television relay service.

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

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2088, A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid purposes; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362.

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

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2092, A bill for an act relating to corporations; correcting certain errors; removing certain deficiencies and ambiguities; and amending Minnesota Statutes 1981 Supplement, Sections 300.083, Subdivision 2; 300.49, Subdivision 1; 302A.011, Subdivisions 4, 10, 17, 21, 25, 29, 30, and 31; 302A.021, Subdivisions 2, 4, 7, and 8; 302A.111, Subdivisions 2, 3, and 4; 302A.115, Subdivision 2; 302A.123; 302A.131; 302A.135, Subdivisions 2 and 4; 302A.181, Subdivision 3; 302A.201, Subdivision 2; 302A.-207; 302A.235; 302A.239, Subdivision 1; 302A.241, Subdivisions 1 and 2; 302A.243; 302A.251, Subdivisions 2 and 3; 302A.255, Subdivision 1; 302A.401, Subdivision 2; 302A.403, Subdivisions 2 and 4; 302A.405, Subdivision 1; 302A.413, Subdivision 4; 302A.431, Subdivision 2; 302A.433, Subdivisions 1 and 2; 302A.-435, Subdivision 1; 302A.437, Subdivision 1; 302A.443; 302A.-445, Subdivisions 1 and 6; 302A.455; 302A.457, Subdivisions 1 and 2; 302A.461, Subdivision 2; 302A.463; 302A.467; 302A.521, Subdivision 2; 302A.551, Subdivisions 1 and 2; 302A.559, Subdivision 1; 302A.613, Subdivisions 2 and 3; 302A.661, Subdivision 2; 302A.721, Subdivision 2; 302A.723, Subdivision 1; 302A.727,



Subdivision 2; 302A.729, Subdivision 1; 302A.731, Subdivision 2; 302A.733, Subdivision 1; 302A.741; 302A.751, Subdivisions 2 and 3; 302A.781, Subdivision 1; 302A.821, Subdivisions 4 and 5; repealing Minnesota Statutes 1981 Supplement, Sections 302A.011, Subdivision 35; and 302A.241, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2093, A bill for an act relating to state departments and agencies; secretary of state; eliminating and simplifying certain filings; amending Minnesota Statutes 1980, Sections 303.14, Subdivision 3, as amended; 333.001, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 301.071, Subdivision 2; 301.42, Subdivision 4; 303.05, Subdivision 1; and 322A.16; repealing Minnesota Statutes 1981 Supplement, Sections 301.06, Subdivision 3; 301.07; 301.071, Subdivision 1; and 301.33, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Nelson, K., from the Committee on Energy to which was referred:

H. F. No. 2228, A bill for an act relating to the Hennepin County park reserve district; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 860, A bill for an act relating to municipal land use planning; permitting municipal fees for administrative actions relating to official controls; amending Minnesota Statutes 1980, Sections 462.353, by adding a subdivision; and 462.358, Subdivision 3b; repealing Minnesota Statutes 1980, Section 462.358, Subdivision 4.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1906, 2092, 2093 and 2228 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1591, 1443 and 860 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Welch; Greenfield; Drew; Clark, K., and Byrne introduced:

H. F. No. 2270, A bill for an act relating to health; providing for an automatic fine in certain instances relating to nursing home inspections; setting a penalty; amending Minnesota Statutes 1980, Section 144A.10, by adding a subdivision.

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

Swanson and Skoglund introduced:

H. F. No. 2271, A resolution memorializing the President of the United States and the Administrator of the Federal Aviation Administration against any attempt to prohibit local governments from restricting aircraft noise.

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

## REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as a Special Order to be added to Special Orders pending for March 3, 1982:

H. F. Nos. 1365, 1817, 612, 1499, 1625, 1701, 1795, 1799, 1832, 1852, 1863, 1941, 1967, 1975, 1993, 2011, 2058, 2079, 2170, 1572, 1707 and 1794.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1700, A bill for an act relating to the military; prohibiting entry to Camp Ripley without authorization of the adjutant general; imposing a penalty; amending Minnesota Statutes 1980, Sections 609.60 and 609.605.

H. F. No. 1725, A bill for an act relating to the military; increasing the minimum pay for enlisted personnel called into active service; amending Minnesota Statutes 1980, Section 192.-51, Subdivision 2.

H. F. No. 1747, A bill for an act relating to the city of Minneapolis; providing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1689.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1613, 1635 and 1804.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1566, 1713, 1821 and 1910.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1602 and 1766.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1689, A bill for an act relating to the operation of state government; authorizing the legislative auditor to approve contracts for auditing state agencies; clarifying certain provisions regarding the term of the legislative auditor; modifying authority of the housing finance agency and certain other agencies to contract for audits without approval; amending Minnesota Statutes 1980, Sections 3.97, Subdivision 4; 3.972; and 462A.22, Subdivision 10.

The bill was read for the first time.

Wynia moved that S. F. No. 1689 and H. F. No. 1832 now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1613, A bill for an act relating to state departments and agencies; regulating the disposition of certain land within the capitol area; amending Minnesota Statutes 1981 Supplement, Section 15.50, Subdivision 6.

The bill was read for the first time.

Ellingson moved that S. F. No. 1613 and H. F. No. 1730, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1635, A bill for an act relating to education; modifying provisions governing school districts financial statements; amending Minnesota Statutes 1980, Section 121.903, Subdivision 3.

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

S. F. No. 1804, A bill for an act relating to local government; specifying the extent of the tax on aggregate materials; authorizing counties imposing a gravel tax under local law to elect to impose an aggregate material tax under general law; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Minnesota Statutes 1980, Sec-

tion 298.75, Subdivisions 5 and 6; Minnesota Statutes 1981 Supplement, Sections 298.75, Subdivisions 1 and 2; 298.76; and Laws 1961, Chapter 605, Section 1.

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

S. F. No. 1566, A bill for an act relating to the environment; expediting the receipt of federal moneys for emergency response to hazardous waste releases; expediting the variance issuance procedures of the pollution control agency; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; and 116.07, Subdivision 5.

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

S. F. No. 1713, A bill for an act relating to transportation; providing for the coordination and regulation of special transportation services; amending Minnesota Statutes 1980, Sections 174.29 and 174.30.

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

S. F. No. 1821, A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

The bill was read for the first time.

Laidig moved that S. F. No. 1821 and H. F. No. 1951, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1910, A bill for an act relating to public welfare; requiring preadmission screening for patients entering nursing homes from hospitals; allowing hospital discharge planners to attend certain preadmission screening assessments; allowing recipient choice between long term care and alternative care; modifying cost limits for alternative care; amending Minnesota Statutes 1980, Section 256B.091, Subdivisions 2, 4, and 6; and Minnesota Statutes 1981 Supplement, Section 256B.091, Subdivision 8.

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

S. F. No. 1602, A bill for an act relating to animals; eliminating certain licensing and registration requirements; repealing Minnesota Statutes 1980, Section 35.695.

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

S. F. No. 1766, A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 270.075, Subdivisions 4 and 5, as amended; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 4, and 15; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93 Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.

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

### CONSENT CALENDAR

S. F. No. 1567, A bill for an act relating to judicial procedures; providing an alternative time for a guardian or conservator to

file an annual report; amending Minnesota Statutes 1981 Supplement, Section 525.58, Subdivision 1.

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1673, A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Dahlvang	Esau	Gustafson
Ainley	Brandl	Dempsey	Evans	Halberg
Anderson, B.	Brinkman	Den Ouden	Ewald	Hanson
Anderson, G.	Byrne	Drew	Fjoslien	Hauge
Anderson, I.	Carlson, D.	Eken	Forsythe	Haukoos
Battaglia	Carlson, L.	Elioff	Frerichs	Heap
Begich	Clark, J.	Ellingson	Greenfield	Heinitz
Berkelman	Clawson	Erickson	Gruenes	Himle

Hokanson	Long	Nysether	Rose	Sviggunn
Hokr	Ludeman	O'Connor	Rothenberg	Swanson
Jacobs	Luknic	Ogren	Samuelson	Tomlinson
Jennings	Mann	Olsen	Sarna	Valan
Johnson, D.	McCarron	Onnen	Schafer	Valento
Jude	McDonald	Osthoff	Schoenfeld	Vanasek
Kahn	McEachern	Otis	Schreiber	Vellenga
Kaley	Mehrkens	Peterson, D.	Searles	Weaver
Kalis	Metzen	Piepho	Shea	Welch
Kelly	Minne	Pogemiller	Sherman	Welker
Knickerbocker	Munger	Redalen	Sherwood	Wenzel
Kostohryz	Murphy	Reding	Sieben, M.	Wieser
Kvam	Nelsen, B.	Rees	Skoglund	Wigley
Laidig	Nelson, K.	Reif	Stadum	Wynia
Lehto	Niehaus	Rice	Staten	Zubay
Lemen	Norton	Rodriguez, C.	Stowell	Spkr. Sieben, H.
Levi	Novak	Rodriguez, F.	Stumpf	

The bill was passed and its title agreed to.

S. F. No. 2103, A bill for an act relating to retirement; St. Cloud firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.



S. F. No. 2095 was reported to the House.

There being no objection S. F. No. 2095 was continued one day.

### CALENDAR

S. F. No. 1455, A bill for an act relating to retirement; including employees at the state ceremonial building in the unclassified employees plan; amending Minnesota Statutes 1981 Supplement, Section 352D.02, Subdivision 1.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

### SPECIAL ORDERS

The Speaker called Wynia to the Chair.

H. F. No. 1652 was reported to the House.

Weaver moved to amend H. F. No. 1652, the first engrossment, as follows:

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1980, Section 100.27, is amended by adding a subdivision to read:

*Subd. 10. Zenaida macroura may be taken during two experimental seasons, to be established prior to December 31, 1983. Dates of the seasons shall be determined by order of the commissioner. At the conclusion of the experimental season, the commissioner may promulgate rules in accordance with the procedures specified in sections 15.0411 to 15.052 making the experimental season permanent.*

Sec. 3. Minnesota Statutes 1980, Section 100.28, Subdivision 2, is amended to read:

Subd. 2. Unless the numbers are reduced by order of the commissioner, no person shall take in any one day, or shall have in possession at any one time, a greater number of any species than prescribed by the following table:

Species	Daily	Possession
Quail .....	10	15
Partridge (ruffed grouse), prairie chicken (pinnated grouse), pheasant, white breasted grouse (sharp tailed grouse), Hungarian partridge or Chukar partridge .....	5	10

*provided that not more than one hen pheasant shall be taken in any one day, nor more than two had in possession; and further provided that, subject to the provisions of section 100.27, subdivision 10, no person shall take more than ten Zenaida macroura in any one day, or shall have in possession at any one time more than 20 of the same specie, unless the commissioner determines that specie population variations require limit revisions. Actual daily bag and possession limits shall under no circumstances exceed the limits set by the United States Fish and Wildlife Service."*

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 4, after "circumstances;" insert "establishing an experimental season on Zenaida macroura;"

Page 1, line 5, after "subdivision;" insert "100.27, by adding a subdivision; 100.28, Subdivision 2;"

A roll call was requested and properly seconded.

Kahn moved to amend the Weaver amendment to H. F. No. 1652, the first engrossment, as follows:

Page 1, line 6, after "taken" insert "by crossbow"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 27 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Berkelman	Ellingson	Lehto	Norton	Skoglund
Brandl	Greenfield	Long	Ogren	Staten
Byrne	Hanson	Minne	Otis	Wynia
Clark, J.	Kahn	Munger	Peterson, D.	
Clark, K.	Kelly	Murphy	Pogemiller	
Dean	Kostohryz	Nelson, K.	Rice	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Olsen	Stowell
Ainley	Esau	Jude	Onnen	Stumpf
Anderson, B.	Evans	Kaley	Peterson, B.	Sviggum
Anderson, G.	Ewald	Kalis	Piepho	Swanson
Anderson, I.	Fjoslien	Knickerbocker	Redalen	Tomlinson
Eattaglia	Forsythe	Kvam	Reding	Valento
Begich	Frerichs	Laidig	Rees	Vanasek
Blatz	Gruenes	Levi	Reif	Voss
Brinkman	Halberg	Ludeman	Rose	Weaver
Carlson, D.	Harens	Mann	Rothenberg	Welch
Carlson, L.	Hauge	McDonald	Sarna	Welker
Clawson	Haukoos	McEachern	Schafer	Wieser
Dahlvang	Heap	Mehrkins	Schreiber	Wigley
Dempsey	Heinitz	Metzen	Searles	Zubay
Den Ouden	Himle	Nelsen, B.	Shea	
Drew	Hokr	Niehaus	Sherman	
Eken	Jacobs	Novak	Sherwood	
Elioff	Jennings	Nysether	Stadum	

The motion did not prevail and the amendment to the amendment was not adopted.

#### CALL OF THE HOUSE

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

Aasness	Brandl	Dean	Evans	Hanson
Ainley	Brinkman	Dempsey	Ewald	Harens
Anderson, B.	Byrne	Den Ouden	Fjoslien	Hauge
Anderson, G.	Carlson, D.	Drew	Forsythe	Haukoos
Anderson, I.	Carlson, L.	Eken	Frerichs	Heap
Battaglia	Clark, J.	Elioff	Greenfield	Heinitz
Begich	Clark, K.	Ellingson	Gruenes	Himle
Berkelman	Clawson	Erickson	Gustafson	Hokanson
Blatz	Dahlvang	Esau	Halberg	Hokr

Jacobs	Ludeman	Nysether	Rose	Sviggum
Jennings	Luknic	O'Connor	Rothenberg	Swanson
Johnson, D.	Mann	Ogren	Samuelson	Tomlinson
Jude	McCarron	Olsen	Sarna	Valan
Kahn	McDonald	Onnen	Schafer	Valento
Kaley	McEachern	Osthoff	Schoenfeld	Vanasek
Kalis	Mehrrens	Peterson, B.	Schreiber	Vellenga
Kelly	Metzen	Peterson, D.	Searles	Voss
Knickerbocker	Minne	Piepho	Shea	Weaver
Kostohryz	Munger	Redalen	Sherman	Welker
Kvam	Murphy	Reding	Sherwood	Wenzel
Laidig	Nelsen, B.	Rees	Sieben, M.	Wieser
Lehto	Nelson, K.	Reif	Skoglund	Wigley
Lemen	Niehaus	Rice	Stadum	Wynia
Levi	Norton	Rodriguez, C.	Staten	Zubay
Long	Novak	Rodriguez, F.	Stumpf	Spkr. Sieben, H.

Eken 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 recurred on the Weaver amendment and the roll was called.

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

There were 40 yeas and 88 nays as follows :

Those who voted in the affirmative were :

Aasness	Esau	Lemen	Redalen	Stumpf
Ainley	Ewald	Levi	Reding	Sviggum
Anderson, B.	Frerichs	Ludeman	Rees	Valento
Begich	Halberg	McDonald	Schafer	Vanasek
Carlson, D.	Heap	McEachern	Schreiber	Weaver
Dempsey	Hokr	Metzen	Shea	Welker
Den Ouden	Jennings	Nelsen, B.	Sherman	Wenzel
Erickson	Kaley	Peterson, B.	Sherwood	Wieser

Those who voted in the negative were :

Anderson, G.	Evans	Kelly	Nysether	Schoenfeld
Anderson, I.	Fjoslien	Knickerbocker	O'Connor	Sieben, M.
Battaglia	Forsythe	Kostohryz	Ogren	Skoglund
Berkelman	Greenfield	Kvam	Olsen	Stadum
Blatz	Gruenes	Laidig	Onnen	Staten
Brandl	Gustafson	Lehto	Osthoff	Stowell
Brinkman	Hanson	Long	Otis	Swanson
Byrne	Harens	Luknic	Peterson, D.	Tomlinson
Carlson, L.	Hauge	Mann	Piepho	Valan
Clark, J.	Haukoos	McCarron	Pogemiller	Vellenga
Clark, K.	Heinitz	Mehrrens	Reif	Voss
Clawson	Himle	Minne	Rice	Welch
Dahlvang	Hokanson	Munger	Rodriguez, C.	Wigley
Dean	Jacobs	Murphy	Rodriguez, F.	Wynia
Drew	Johnson, D.	Nelson, K.	Rose	Zubay
Eken	Jude	Niehaus	Rothenberg	Spkr. Sieben, H.
Elioff	Kahn	Norton	Samuelson	
Ellingson	Kalis	Novak	Sarna	

The motion did not prevail and the amendment was not adopted.

CALL OF THE HOUSE LIFTED

Eken moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Clawson offered an amendment to H. F. No. 1652.

POINT OF ORDER

Halberg raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker Pro Tem ruled the point of order well taken and the amendment out of order.

Welch moved to amend H. F. No. 1652, the first engrossment, as follows:

Page 1, line 12, after "*crossbow*" insert "*or with a longbow using a mechanical device*"

The motion prevailed and the amendment was adopted.

Voss moved to amend H. F. No. 1652, the first engrossment, as follows:

Page 1, after line 8, insert a section to read:

"Section 1. Minnesota Statutes 1980, Section 97.57, is amended to read:

*Subdivision 1. In any county with unanimous consent of the county board of commissioners, and approval of the land owner, the department of natural resources shall (DIRECT THE DESTRUCTION) take such action as the county board and land owner agree upon for the destruction or alteration of any beaver dam (AND) or for removal of beaver from any waterway, stream, or ditch where drainage is being impaired. All state parks, state game refuges, and federal game preserves are excluded from this provision.*

*Subd. 2. In those cases where there is a threat to person or a serious threat to significant property resulting from a beaver dam, and where the consent required by subdivision 1 cannot be obtained, upon petition a district court may order the department of natural resources to take such actions as are appropriate to ameliorate or mitigate the threat or damage, but the actions must be the least environmentally damaging possible."*

Renumber remaining sections in sequence

Amend the title as follows :

Page 1, line 5, after "Sections" insert "97.57,"

#### POINT OF ORDER

Jennings raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker Pro Tem ruled the point of order not well taken and the amendment in order.

The question recurred on the Voss amendment. The motion did not prevail and the amendment was not adopted.

H. F. No. 1652, A bill for an act relating to game and fish; authorizing special permits to take deer with a crossbow under certain circumstances; amending Minnesota Statutes 1980, Sections 98.48, by adding a subdivision; and 100.29, Subdivision 7.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 5 nays as follows :

Those who voted in the affirmative were :

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

Those who voted in the negative were :

Harens	Sarna	Skoglund	Stowell	Valan
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1547, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1980, Sections 353.01, Subdivisions 12 and 16; 353.35; and 353.657, Subdivision 2a; Minnesota Statutes 1981 Supplement, Sections 353.01, Subdivisions 2a and 2b; 353.27, Subdivision 4; 353.36, Subdivision 2; and 353.64, Subdivision 1; repealing Minnesota Statutes 1980, Sections 353.01, Subdivision 34; and 353.017, Subdivision 4; Minnesota Statutes 1981 Supplement, Section 353.023.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1727, A bill for an act relating to retirement; second class city police relief associations; eliminating a dollar amount limitation on the payment of salaries to relief association officers; amending Minnesota Statutes 1981 Supplement, Section 423.808.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were :

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

The bill was passed and its title agreed to.

Kaley was excused for the remainder of today's session.

H. F. No. 1459 was reported to the House.

Eken moved that H. F. No. 1459 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1365 was reported to the House.

Voss, Schreiber and Pogemiller moved to amend H. F. No. 1365, the first engrossment, as follows:

Page 8, delete lines 20 to 36

Page 9, delete lines 1 to 7 and insert:

*"For the purposes of this subdivision an "assisted housing unit" is a housing unit which is rented or to be rented and which is a part of a rental housing development where the financing for the rental housing development is assisted with interest reduction assistance provided by the authority during the calendar year. If interest reduction assistance is provided for construction period interest for a rental housing development, the housing units in the housing development shall be considered assisted housing units for a period after occupancy of the housing units*



which is equal to the period which interest reduction assistance is provided to assist the construction financing of the rental housing development. In any calendar year when an authority provides interest reduction assistance for assisted housing units (1) at least 20 percent of the total assisted housing units within the jurisdiction of the authority shall be held available for rental to families or individuals with an adjusted gross income which is equal to or less than 80 percent of the median family income, and (2) at least an additional 55 percent of the total assisted housing units within the jurisdiction of the authority shall be held available for rental to individuals or families with an annual adjusted gross income which is equal to or less than 66 times 120 percent of the monthly fair market rent for the unit established by the United States department of housing and urban development. At least 80 percent of the aggregate dollar amount of funds appropriated by an authority within any calendar year to provide interest reduction assistance for financing of construction, rehabilitation or purchase of single family housing, as that term is defined in section 462C.02, subdivision 4, shall be appropriated for housing units which are to be sold or occupied by families or individuals with an adjusted gross income which is equal to or less than 110 percent of median family income. For the purposes of this subdivision, "median family income" means the median family income established by the United States department of housing and urban development for the nonmetropolitan county or the standard metropolitan statistical area, as the case may be. The adjusted gross income may be adjusted by the authority for family size. An authority which establishes a program pursuant to this subdivision shall on or before January 2 of each year report to the commissioner of the Minnesota department of energy, planning and development, a description of the program established and a description of the recipients of interest reduction assistance.

Sec. 8. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 12. [INTEREST REDUCTION PROGRAM; REQUIRED AGREEMENTS.] (a) Under any interest reduction program authorized by subdivision 10, which provides interest reduction assistance pursuant to clauses (a) to (f), the authority shall obtain an agreement from the developer or other benefited owner of the property. The agreement shall provide that upon the benefited owner's sale or transfer of the property the authority shall be paid in an amount determined under clause (b) and that this obligation is secured by an interest in the property. The interest in the property shall consist of either a right of co-ownership or a lien or mortgage against the property and may be subordinate to other interests in the property. For purposes of this subdivision, "property" means property the construction, acquisition or improvement of which is financed in whole or part with the proceeds of a loan upon which the interest payments are reduced under an interest reduction program.

(b)(i) Upon transfer or sale of the property the amount required to be paid to the authority under clause (a) shall equal at least

(A) the sale price of the property, less

(B) the down payment, any payments of principal, other payments made to construct, acquire or improve the property and any outstanding liens or mortgages securing loans, advances, or goods and services provided for the construction, acquisition or improvement of the property, less

(C) the amount, if any, which the authority determines should be allowed for the developer or other benefited property owner as a return on the developer's or other benefited property owner's investment in the property, multiplied by

(D) a fraction, the numerator of which is the interest reduction payments made by the authority and the denominator of which is the total of the downpayment, all principal and interest payments including any portion paid by the authority, and other payments made to construct, acquire or improve the property. In the case of a transfer, other than an arms-length sale, an appraisal shall be substituted for the sale price.

(ii) If the interest reduction payments are made for a bond issue, or other obligation, the proceeds of which are lent to five or more purchasers of separate housing units, the fraction under clause (b)(i)(D) may be determined on the basis of an estimate of the aggregate factors for all the borrowers of the proceeds, of the bonds or other obligations participating in the interest reduction program.

The provisions of this subdivision shall not apply to interest reduction assistance provided for construction period interest for housing units which are to be sold upon completion to purchasers who intend at the time of purchase to occupy the housing units as their principal place of residence.

Sec. 9. Minnesota Statutes 1980, Section 462.445, is amended by adding a subdivision to read:

Subd. 13. [INTEREST REDUCTION PROGRAM.] The authority to authorize payment of interest reduction assistance pursuant to sections 6 to 8 of this act shall expire on January 1, 1986. Interest reduction assistance payments authorized prior to January 1, 1986 may be paid after January 1, 1986."

Renumber the sections in sequence

The motion prevailed and the amendment was adopted.

H. F. No. 1365, A bill for an act relating to cities; authorizing city rehabilitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; authorizing a housing and commercial rehabilitation interest reduction program; amending Minnesota Statutes 1980, Sections 462.421, Subdivision 14; 462.445, by adding subdivisions; and 462.545, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 459.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 87 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Kalis	Novak	Shea
Anderson, G.	Evans	Kelly	O'Connor	Sherman
Anderson, I.	Ewald	Knickerbocker	Ogren	Sieben, M.
Battaglia	Forsythe	Kostohryz	Olsen	Skoglund
Begich	Greenfield	Laidig	Otis	Staten
Berkelman	Gruenes	Lehto	Peterson, D.	Stumpf
Blatz	Gustafson	Levi	Pogemiller	Swanson
Brandl	Halberg	Long	Redalen	Tomlinson
Byrne	Hanson	Luknie	Reding	Vanasek
Carlson, D.	Hauge	Mann	Reif	Vellenga
Carlson, L.	Haukoos	McCarron	Rice	Voss
Clark, J.	Heap	Mehrkens	Rodriguez, C.	Weaver
Clark, K.	Himle	Metzen	Rodriguez, F.	Welch
Clawson	Hokanson	Minne	Rose	Wenzel
Dahlvang	Jacobs	Munger	Samuelson	Spkr. Sieben, H.
Dean	Johnson, D.	Murphy	Sarna	
Eken	Jude	Nelson, K.	Schoenfeld	
Elioff	Kahn	Norton	Schreiber	

Those who voted in the negative were:

Aasness	Fjoslien	McDonald	Rees	Sviggunn
Ainley	Frerichs	Nelsen, B.	Rothenberg	Valento
Brinkman	Heinitz	Niehaus	Schafer	Welker
Dempsey	Hokr	Nysether	Searles	Wieser
Den Ouden	Jennings	Onnen	Sherwood	Wigley
Erickson	Lemen	Peterson, B.	Stadum	Zubay
Esau	Ludeman	Piepho	Stowell	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1817 was reported to the House.

Mehrkens moved to amend H. F. No. 1817, the first engrossment, as follows:

Page 6, lines 1 to 8, reinstate the stricken language

Page 6, line 9, reinstate the stricken language "are to be used or shipped"

Page 6, line 17, reinstate the stricken period

The motion prevailed and the amendment was adopted.

Mehrkens moved to amend H. F. No. 1817, the first engrossment, as amended, as follows :

Page 6, line 22, after "mix" insert ", concrete ready mix"

The motion prevailed and the amendment was adopted.

Haukoos moved to amend H. F. No. 1817, the first engrossment, as amended, as follows :

Page 11, after line 15, insert :

"Sec. 12. [REPEALER.]

*Minnesota Statutes 1981 Supplement, Section 161.465, is repealed."*

Page 11, line 17, delete "and 9" and insert ", 9 and 12"

Renumber the section

Amend the title as follows :

Page 1, line 19, after "221" insert " ; repealing Minnesota Statutes 1981 Supplement, Section 161.465"

The motion prevailed and the amendment was adopted.

Olsen, Long and Rothenberg moved to amend H. F. No. 1817, the first engrossment, as amended, as follows :

Page 2, after line 17, insert :

"Sec. 3. Minnesota Statutes 1980, Section 161.123, is amended to read :

161.123 [HIGHWAY CONSTRUCTION ; PROHIBITIONS.]

Following May 31, 1975 the department of transportation shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335; proposed I-394 between I-494 and the Hawthorne interchange; nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94, except for a connection from Fulton Avenue and Huron Street to University Avenue Southeast and 25th Avenue Southeast generally via Huron Street and 25th Avenue Southeast; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway

or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes (OF TRAVEL) on Legislative Routes No. 10 and No. 107 marked TH 12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes (OF TRAVEL) on said highway.

(3) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

(4) Preparation of any environmental impact statements, recreational and other land use reports, and other elements of the planning process required by federal and state law, utilizing the most reasonably recent available data, on the following:

Routes and corridors enumerated above and all feasible and prudent alternate routes and corridors, giving the fullest possible consideration to each, without regard to prior authorization or to whether legislative approval or other action is necessary. In the preparation of such environmental impact statements the commissioner shall analyze and evaluate:

(a) Design modifications which may mitigate any adverse environmental impact; and

(b) The recommendations of the metropolitan council, transportation advisory board, and interstate study committee as reported to the legislature pursuant to Laws 1975, Chapter 203, Section 16; and

(c) All other matters required of an environmental impact statement by applicable state and federal laws.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right-of-way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right-of-way is located, for public purposes, or sold

for utilization in a manner compatible with the immediate residential area through which it passes, such excess right-of-way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of transportation shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth."

Page 11, delete line 17 and insert "*Sections 1, 2, 3, 4, 6, 7, 8, 9 and 10 are effective the day*"

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 5, after the semicolon insert "altering highway construction prohibitions on certain routes;"

Page 1, line 14, after "Sections" insert "161.123;"

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Rose moved to amend H. F. No. 1817, the first engrossment, as amended, as follows:

Page 3, line 15, reinstate the stricken language

The motion did not prevail and the amendment was not adopted.

H. F. No. 1817, A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221; repealing Minnesota Statutes 1981 Supplement, Section 161.465.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Olsen	Shea	Skoglund
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The bill was passed, as amended, and its title agreed to.

There being no objection the order of business reverted to Reports of Standing Committees.

## REPORTS OF STANDING COMMITTEES

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1235, A bill for an act relating to real estate; directing the release of a certain state owned easement.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [CONVEYANCE OF LANDS; LYON COUNTY.]

*The commissioner of administration, by quitclaim deed, in a form approved by the attorney general, for a consideration of \$1, shall convey to Gentius L. and Alice G. Shriver the interest of the state in the following described property:*

*The North 7 acres of NW 1/4 of SE 1/4 adjacent to Government Lot 7 on the North of Section 31, Range 43, Township 109, in Lyon County.*

Sec. 2. [QUITCLAIM DEED.]

*The commissioner of natural resources, in the name of the state, shall convey by quitclaim deed, in a form approved by the attorney general, without monetary consideration any interest which the state may have in Lot 38 of Clearwater Beach, Wright County, Minnesota, to David C. and Rosemary Carlson, Robert J. and Jan Bowman, and Linda F. Schwichtenberg.*

Sec. 3. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

Delete the title and insert:

**"A bill for an act relating to state lands; authorizing the conveyance by the state of its interest in certain lands in Lyon County and Wright County."**

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

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1559, A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

Reported the same back with the following amendments:

Page 2, delete lines 26 to 36, and insert:

*"(h) Notwithstanding section 43A.27, subdivision 3, a plan adopted under section 43A.18 may provide, or the state and an exclusive representative of state employees may negotiate, an agreement which provides for state-paid hospital, medical, and dental benefits for employees who retire from state service earlier than required. Coverage under these agreements shall be*



*coordinated with relevant health insurance benefits provided through the federally-sponsored medicare program."*

Page 3, delete lines 1 to 6 and insert:

"Sec. 2. [TEMPORARY.]

*Commencing one week after the effective date of this act the state and exclusive representatives of state employees shall negotiate on the topic of supplemental agreements to the contracts covering the 1981 to 1983 biennium to provide for the benefits listed in section 1. These benefits shall only be available to employees who are between 60 and 65 years of age at the time of retirement and who have at least 20 years of state service. Any supplemental agreements providing for these benefits shall be submitted to the legislative commission on employee relations and the full legislature for approval in the same manner and with the same effect as provided in section 179.74, subdivision 5."*

Renumber the section

Page 3, line 8, delete "Section 1 is" and insert "Sections 1 and 2 are" and delete "its"

Amend the title as follows:

Page 1, line 2, delete "a one time" and insert "potential for an"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, M., from the Committee on Appropriations to which was referred:

H. F. No. 1690, A bill for an act relating to public welfare; requiring the commissioner of public welfare to promulgate rules which establish foster care maintenance payments by the state; establishing a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding the eligibility for medical assistance to include children receiving foster care maintenance payments under Title IV-E of the federal Social Security Act; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended.

Reported the same back with the following amendments:

Page 7, after line 1, insert:

"Sec. 7. [TRANSFER OF FUNDS.]

*The commissioner of public welfare is authorized to transfer funds from the dependent/neglected ward account into the subsidized adoption account when a deficit in the subsidized adoption program occurs. The amount of the transfer shall not exceed 50 percent of the dependent/neglected ward account."*

Renumber the section

Amend the title as follows:

Page 1, line 14, after the semicolon insert "authorizing the transfer of funds;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1789, A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring acid deposition control standards by the pollution control agency; requiring reports; proposing new law coded in Minnesota Statutes, Chapter 116.

Reported the same back with the following amendments:

Page 1, line 10, after "*deposition*" insert "*substantially*"

Page 1, line 12, delete "*pose*" and insert "*poses*"

Page 1, line 18, delete "*this act*" and insert "*sections 1 to 4*"

Page 1, line 20, delete "*in the hope that*" and insert "*and to support and encourage*"

Page 1, line 21, delete "*will recognize*" and insert "*in recognizing*"

Page 1, line 22, delete "*take*" and insert "*taking*"

Page 1, line 25, delete "*this act*" and insert "*sections 1 to 4*"

Page 2, line 10, delete "*acid rain sensitive*"

Page 2, line 11, after "*species*" insert "*which are sensitive to acid deposition*"

Page 2, line 14, delete "*rain*" and insert "*deposition*"

Page 2, line 20, after the period, insert "*The list shall not be subject to the rulemaking or contested case provisions of chapter 15.*"

Page 2, delete subdivision 2 and insert:

"Subd. 2. [STANDARDS.] (a) *By January 1, 1985, the agency shall adopt an acid deposition standard for wet plus dry acid deposition in the acid deposition sensitive areas listed pursuant to subdivision 1.*

(b) *By January 1, 1986, the agency shall adopt an acid deposition control plan to attain and maintain the acid deposition standard adopted under clause (a), addressing sources both inside and outside of the state which emit more than 100 tons of sulphur dioxide per year. The plan shall include an analysis of the estimated compliance costs for facilities emitting sulphur dioxide. Any emission reductions required inside of the state shall be based on the contribution of sources inside of the state to acid deposition in excess of the standard.*

(c) *By January 1, 1990, sources located inside the state shall be in compliance with the provisions of the acid deposition control plan.*"

Pages 2 and 3, delete section 4 and insert:

"Sec. 4. [116.45] [REPORTS TO THE LEGISLATURE.]

*By January 1, 1986, the agency shall submit its acid deposition control plan to the appropriate substantive committees of both houses of the legislature. By January 1, 1987, and each two years thereafter until January 1, 1991, the agency shall submit to the legislative committees a report detailing the reduction of sulphur dioxide needed to meet the requirements of section 3 and the progress which has been made to meet those requirements.*

Sec. 5. [APPROPRIATION.]

*The sum of \$81,455 is appropriated from the general fund to the agency for the purposes of this act."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "requiring" insert "adoption of an"

Page 1, line 4, delete "standards" and insert "standard and plan"

Page 1, line 5, after the second semicolon insert "appropriating money;"

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

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

H. F. No. 1798, A bill for an act relating to energy; specifying the role of the department of energy, planning and development before the public utilities commission; clarifying certain public utilities commission responsibilities; amending Minnesota Statutes 1980, Sections 116H.02, Subdivision 5; and 216B.03; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.-11, by adding a subdivision; and 216B.241, Subdivision 2.

Reported the same back with the following amendments:

Pages 2, 3 and 4, delete section 2

Pages 4 and 5, delete section 4

Page 5, lines 15 and 23, strike "shall" and insert "may"

Renumber the sections

Amend the title as follows:

Page 1, line 6, delete "Sections" and insert "Section"

Page 1, line 7, delete "and 216B.03;"

Page 1, line 8, delete "116H.07;"

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

The report was adopted.

Voss from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1905, A bill for an act relating to the city of Brooklyn Center; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of bonds or notes for that purpose.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

**"Section 1. [PROGRAM.]**

*The city of Brooklyn Center may establish a home energy conservation improvement program to provide means for the city to aid all residents of the city to maintain their home energy requirements by reducing overall energy demand, thus tending to assure the continuance of essential public, industrial, and commercial activities. The expenditures of public funds authorized by this act are determined to be necessary governmental actions, particularly under present conditions of uncertain and limited energy supplies, increasing costs for gas and oil, and difficulty and delay in the increase of energy supplies from all sources due to environmental concerns.*

*Provisions for the operation and financing of the program shall be made by and pursuant to resolutions adopted by the city council. The powers granted by this act are supplemental, and the procedures authorized for exercising them are alternative to those provided in other law.*

**Sec. 2. [DEFINITION.]**

*"Residential energy conservation improvement" means the following devices, methods, and materials, if recommended by an approved energy audit and having a maximum cost of \$3,000, which increase the efficiency of residential use of energy:*

- (1) Insulation and ventilation;*
- (2) Storm or thermal doors or windows;*
- (3) Caulking and weatherstripping;*
- (4) Furnace efficiency modifications and replacements;*
- (5) Thermostat or lighting controls; and*
- (6) Systems to turn off or vary the delivery of energy.*

*The term "residential energy conservation improvement" does not include any device or method which creates, converts, or*

*actively uses energy from renewable sources such as solar, wind, or biomass.*

### Sec. 3. [LOCAL IMPROVEMENTS; PAYMENTS.]

*Subdivision 1. [CONTRACTS.] To provide for home energy conservation improvements, when requested by the owner of a one to four unit residential building, the city may develop a program which allows:*

*(a) The city to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city;*

*(b) The homeowner, subject to the approval of the city, to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city; or*

*(c) The city to contract with a homeowner for labor or materials or both, provided that in such cases the city may inspect the work performed and shall not pay the homeowner for his labor.*

*Subd. 2. [PAYMENTS.] (a) The city may contract with each homeowner for payment of the cost in cash upon completion of the project, with payment secured by deposit in advance of an amount equal to at least 90 percent of the contract price, or by a written commitment by a bank or other approved financial institution to loan the full amount of the contract price to the homeowner. The homeowner, the financial institution and the city, may agree to any convenient method of repayment.*

*(b) The city may accept payment by a promissory note in a principal amount equal to the contract price, repayable in equal periodic installments, including both principal and interest on the declining principal balance. Provisions may be agreed upon to permit or restrict prepayment.*

*(c) The city may specially assess the benefited property in the manner provided in Minnesota Statutes, Chapter 429.*

*Debts for improvements are a first and prior lien on the property improved as provided in Minnesota Statutes, Section 514.67. If not paid when due they shall be entered upon the tax rolls and collected with and as a part of the taxes on the property, with the same interest and penalties.*

### Sec. 4. [EFFECTIVE DATE.]

*This act is effective upon approval by the governing body of the city of Brooklyn Center and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3."*

Amend the title as follows:

Page 1, delete lines 4 and 5, and insert "program; permitting special assessment for energy improvements."

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

The report was adopted.

Sieben, M., from the Committee on Appropriations to which was referred:

H. F. No. 1939, A bill for an act relating to transportation; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; requiring the posting of bond in certain proceedings; amending Minnesota Statutes 1980, Sections 161.12; 161.1245, Subdivision 1; repealing Minnesota Statutes 1980, Section 161.1245, Subdivision 2.

Reported the same back with the following amendments:

Page 3, delete section 3

Renumber the section

Amend the title as follows:

Page 1, line 4, delete "requiring the"

Page 1, line 5, delete everything before "amending"

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson, K., from the Committee on Energy to which was referred:

H. F. No. 2973, A bill for an act relating to resource recovery; permitting the use of waste oil heaters in commercial and industrial buildings; proposing new law coded in Minnesota Statutes, Chapter 299F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [299F.015] [USE OF WASTE OIL BURNERS.]

*Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms shall have the meanings given:*

(a) "Waste oil" means a refined oil which has been used for the lubrication of an internal combustion engine or in a similar crankcase application or other applications in connection with motor vehicles and has been contaminated by impurities as a result of that use.

(b) "Approved waste oil burner" means a device designed to burn waste oil for heating purposes, which is found by a recognized independent testing laboratory to provide a degree of safety substantially equivalent to other devices approved for similar purposes under the uniform fire code or state building code.

*Subd. 2. [BURNERS PERMITTED.] Notwithstanding any contrary provision of sections 16.83 to 16.867 or 299F.011, or any rule adopted under those sections, the state fire marshal, the state building inspector, and political subdivisions may permit the installation and use of approved waste oil burners in gasoline service stations or commercial garages.*

*Subd. 3. [LIMITATIONS.] No person shall burn any waste oil containing PCB's as defined in section 116.36, subdivision 4, in an approved waste oil burner or if the waste oil does not conform with the specifications contained in rules of the pollution control agency adopted under section 116.07.*

Sec. 2. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 3, delete everything after "oil"

Page 1, line 4, delete "buildings" and insert "burners in certain gasoline stations and garages"

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

The report was adopted.



Sieben, M., from the Committee on Appropriations to which was referred:

H. F. No. 2156, A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 1231, A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.-141, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 1539, A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of employee relations shall meet and negotiate with the exclusive representative of each of the units specified in section 179.741, subdivision 1, in the manner prescribed by sections 179.61 to 179.76. The appropriate units provided for in section 179.741 shall be the only appropriate units for executive branch state employees. The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of employee relations in accordance with the provisions of section 43.326 and so desig-

nated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, all positions of physician employees compensated pursuant to section 43.126, the positions of all unclassified employees appointed by the governor, lieutenant governor, secretary of state, attorney general, treasurer and auditor, all positions in the bureau of mediation services and the public employment relations board, *all positions of employees whose classification is pilot or chief pilot*, all hearing examiner and compensation judge positions in the office of administrative hearings, and the positions of all confidential employees shall be excluded from any appropriate unit. The governor may upon the unanimous written request of exclusive representatives of units and the commissioner direct that negotiations be conducted for one or more units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.

Sec. 2. Minnesota Statutes 1980, Section 179.741, Subdivision 1, is amended to read:

Subdivision 1. [STATE EMPLOYEES.] Subject to the provisions of section 179.742, subdivision 5, all appropriate units of state employees certified as of April 25, 1980 are abolished. The following shall be the appropriate units of executive branch state employees for the purposes of sections 179.61 to 179.76. All units shall exclude employees excluded by section 179.74, subdivision 4 and supervisory employees shall only be assigned to units 12 and 16. Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. No additional units of executive branch state employees shall be recognized for the purpose of meeting and negotiating.

(1) Law enforcement unit. This unit shall consist of all sworn highway patrol personnel, all uniformed conservation officers, and all criminal apprehension agents.

(2) Craft, maintenance, and labor unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981*.

(3) Service unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981*.

(4) Health care non-professional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on em-

ployee relations on March 24, 1980, *as amended through June 16, 1981.*

(5) Health care professional unit. This unit shall consist of all positions which are required to be filled by registered nurses.

(6) Clerical and office unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(7) Technical unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(8) Correctional Guards unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(9) State university instructional unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(10) Community college instructional unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(11) State university administrative unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(12) Professional engineering supervisory unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(13) Health treatment unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(14) General professional unit. This unit shall consist of those classifications assigned to this unit in the unit composition

schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(15) Professional state residential instructional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

(16) Supervisory employees unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980, *as amended through June 16, 1981.*

### Sec. 3. [COMMISSIONER'S PLAN; ADJUSTMENTS.]

*Subdivision 1. The pilot classification shall be assigned to 16i in series "a" of the commissioner's plan. The chief pilot classification shall be assigned to 18i of series "f" of the commissioner's plan.*

*Subd. 2. Employees in the pilot classification at the current salary range maximum shall receive an immediate adjustment to \$29,500 per year in the commissioner's plan.*

*Subd. 3. An employee in the chief pilot classification at the current salary range maximum shall receive an immediate adjustment to \$33,000 per year in the commissioner's plan.*

*Subd. 4. Other employees in the pilot classification not at the current salary range maximum shall receive an immediate adjustment to \$24,500 per year in the commissioner's plan.*

### Sec. 4. [EFFECTIVE DATE.]

*Sections 1 and 3 are effective June 1, 1982. Section 2 is effective July 1, 1983, except that, as of the date of final enactment, an exclusive representative of a unit provided in section 2 shall have all the contract representation duties of the exclusive representative with respect to employees to be newly included in that unit pursuant to section 2."*

Amend the title as follows:

Page 1, line 4, after the semicolon insert "excluding certain employees from collective bargaining and providing other means of compensation;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Governmental Operations to which was referred:

S. F. No. 1621, A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

Reported the same back with the following amendments:

Page 1, line 12, after the stricken language, insert "*and other people who work in buildings owned or leased by the state*"

Amend the title as follows:

Page 1, line 3, delete "state and public" and insert "certain"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1235, 1559, 1690, 1939, 2073 and 2156 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1231, 1539 and 1621 were read for the second time.

## SPECIAL ORDERS

Eken moved that the remaining bills on Special Orders for today be continued one day. The motion prevailed.

## GENERAL ORDERS

Eken moved that the bills on General Orders for today be continued one day. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Swanson moved that the names of Heinitz and Onnen be added as authors on H. F. No. 1799. The motion prevailed.

Vellenga moved that S. F. No. 1481 be recalled from the Committee on Governmental Operations and together with H. F. No. 1559, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Rees moved that H. F. Nos. 2071 and 1866 be returned to their author. The motion prevailed.

Kostohryz moved that H. F. No. 2249 be returned to its author. The motion prevailed.

Rothenberg moved that H. F. No. 2219 be returned to its author. The motion prevailed.

McDonald moved that H. F. No. 808 be returned to its author. The motion prevailed.

Gruenes and Brinkman introduced :

House Resolution No. 27, A house resolution proclaiming November 10, 1982, to be "Saint John's Preparatory School Day" in Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 4, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives