

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION—1991

THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 23, 1991

The House of Representatives convened at 2:30 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by Monsignor John C. Ward, Former Pastor of St. Philips Church, Litchfield, Minnesota.

The roll was called and the following members were present:

Abrams	Frederick	Kelso	Ogren	Segal
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Simoneau
Anderson, R.	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, R. H.	Girard	Koppendrayer	Olson, K.	Smith
Battaglia	Goodno	Krinkie	Omman	Solberg
Bauerly	Greenfield	Krueger	Onnen	Sparby
Beard	Gruenes	Lasley	Orenstein	Stanis
Begich	Gutknecht	Leppik	Orfield	Steensma
Bertram	Hanson	Lieder	Osthoﬀ	Sviggum
Bettermann	Hartle	Limmer	Ostrom	Swenson
Bishop	Hasskamp	Long	Ozment	Thompson
Blatz	Haukoos	Lourey	Pauly	Tompkins
Bodahl	Hausman	Lynch	Pellow	Trimble
Boo	Heir	Macklin	Pelowski	Tunheim
Brown	Henry	Mariani	Peterson	Uphus
Carlson	Hufnagle	Marsh	Pugh	Valento
Carruthers	Hugoson	McEachern	Reding	Vellenga
Clark	Jacobs	McGuire	Rest	Wagenius
Cooper	Janezich	McPherson	Rice	Waltman
Dauner	Jaros	Milbert	Rodosovich	Weaver
Davids	Jefferson	Morrison	Rukavina	Wejcmán
Dawkins	Jennings	Munger	Runbeck	Welker
Dempsey	Johnson, A.	Murphy	Sarna	Welle
Dille	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dorn	Johnson, V.	Nelson, S.	Scheid	Winter
Erhardt	Kahn	Newinski	Schreiber	Spk. Vanasek
Farrell	Kalis	O'Connor	Seaberg	

A quorum was present.

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

REPORTS OF STANDING COMMITTEES

Ogren from the Committee on Taxes to which was referred:

H. F. No. 700, A bill for an act relating to education; providing for general education revenue; transportation; special programs; community service programs; facilities and equipment; other aids and levies; miscellaneous education related programs; library programs; education agency services; art education programs; maximum effort school loan programs; authorizing bonding; appropriating money; amending Minnesota Statutes 1990, sections 120.08, subdivision 3; 120.101, subdivisions 5, 9, and by adding a subdivision; 120.17, subdivisions 3b and 7a; 120.181; 121.11, subdivision 12; 121.15, subdivisions 1, 2, 3, 6, 7, 8, 9, and by adding subdivisions; 121.155; 121.585, subdivision 3; 121.611, subdivision 2; 121.88, subdivisions 9 and 10; 121.882, subdivisions 2, 6, and by adding a subdivision; 121.904, subdivisions 4a and 4e; 121.912, by adding a subdivision; 122.22, subdivisions 7a and 9; 122.23, subdivisions 2 and 3; 122.242, subdivision 9; 122.531, by adding subdivisions; 122.535, subdivision 6; 123.33, subdivision 1; 123.34, subdivision 9; 123.35, subdivisions 8, 17, and by adding a subdivision; 123.3514, subdivisions 3, 4, and by adding a subdivision; 123.38, subdivision 2b; 123.702; 123.951; 124.17, subdivisions 1 and 1b; 124.175; 124.19, subdivisions 1, 7, and by adding a subdivision; 124.195, subdivisions 9 and 12; 124.223, subdivisions 1 and 8; 124.225, subdivisions 1, 3a, 7a, 7b, 7d, 8a, 8k, 10, and by adding a subdivision; 124.26, subdivisions 1c and 2; 124.261; 124.2711, subdivisions 1 and 3; 124.2721, subdivisions 2 and 3; 124.2725, subdivision 6; 124.273, subdivision 1b; 124.311, subdivision 4; 124.32, subdivisions 1b and 10; 124.332, subdivisions 1 and 2; 124.431, by adding a subdivision; 124.573, subdivisions 2b and 3a; 124.574, subdivision 2b; 124.575, subdivisions 1, 2, 3, and 4; 124.646; 124.83, subdivision 4; 124.86, subdivision 2; 124A.03; 124A.04; 124A.22, subdivisions 2, 4, 5, 8, 9, and by adding subdivisions; 124A.23, subdivisions 1, 4, and 5; 124A.24; 124A.26, subdivision 1; 124A.29, subdivision 1; 124A.30; 124C.03, subdivision 2; 125.12, subdivisions 3, 6b, and by adding subdivisions; 125.17, subdivision 2, and by adding subdivisions; 125.185, subdivisions 4 and 4a; 125.231; 126.22, subdivisions 2, 3, and 4; 126.23; 126.266, subdivision 2; 126.661, subdivision 5, and by adding a subdivision; 126.663, subdivision 2; 126.666, subdivision 2, and by adding subdivisions; 126.67, subdivision 2b; 126.70, subdivisions 1, 2, and 2a; 127.29, by adding a subdivision; 129C.10; 136D.27, subdivision 1; 136D.72, subdivision 1; 136D.74, subdivision 2; 136D.76, subdivision 2; 136D.87, subdivision 1; 141.25, subdivision 8; 141.26, subdivision 5; 145.926; 148.191, subdivision 2; 171.29, subdivision 2; 245A.03, subdivision 2; 260.015, subdivision 19; 268.08, subdivision 6; 275.06; 275.065, subdivisions 3, 5a, and 6; 275.125, subdivisions 4, 5, 5b, 5c, 8b, 11d; 298.28, subdivision 4; Laws 1989, chapter 329, article 6, section 53, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 120; 121; 123; 124; 125; 134; 373; 473; repealing Minnesota Statutes 1990, sections 3.865; 3.866;

120.011; 121.111; 122.531, subdivision 5; 123.351, subdivision 10; 123.706; 123.707; 123.744; 124.225, subdivisions 3, 4b, 7c, 8b, 8i, 8j; 124.252; 124.575; 124C.01, subdivision 2; 124C.41, subdivisions 6 and 7; 126.70, subdivisions 2 and 2a; 275.125, subdivision 8c; and Laws 1988, chapter 703, article 1, section 23, as amended; Laws 1989, chapter 293, section 82; Laws 1989, chapter 329, articles 4, section 40; 9, section 30; and 12, section 8; Laws 1990, chapter 562, article 6, section 36.

Reported the same back with the following amendments:

Pages 93 to 98, delete sections 1 to 7 and insert:

"Section 1. Minnesota Statutes 1990, section 121.148, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER APPROVAL.] In determining whether to give a school facility a positive, negative, or unfavorable review and comment, the commissioner must evaluate the proposals for facilities using the information provided under section 121.15, subdivision 7.

The commissioner may submit a negative review and comment for a project if the district has not submitted its capital facilities plan required under section 124.243, subdivision 1, to the commissioner."

Page 98, lines 7 to 28, delete the new language and reinstate the stricken language

Page 98, line 32 to page 99, line 18, delete the new language and reinstate the stricken language

Pages 99 and 100, delete section 9

Page 157, line 3, delete "124C.01, subdivision 2;"

Pages 188 to 194, delete sections 22 to 24

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 714, A bill for an act relating to housing; modifying procedures relating to rent escrow actions; modifying procedures relating to the tenant's loss of essential services; assigning tort liability to landlords for certain damages; modifying provisions relating to tenant remedy actions, retaliatory eviction proceedings, and receivership proceedings; charging court fees in unlawful detainer actions; creating a lead abatement program; modifying provisions relating to Minnesota housing finance agency low- and moderate-income housing programs; providing for an emergency mortgage and rental assistance pilot project; modifying certain receivership, assignment of rents and profits, and landlord and tenant provisions; modifying provisions relating to housing and redevelopment authorities; providing for the issuance of general obligation bonds for housing by the cities of Minneapolis and St. Paul; authorizing the city of Minneapolis to make small business loans; imposing a lead abatement fee on petroleum storage tanks; imposing a tax on wholesalers of paint and dedicating the revenue to lead abatement programs; modifying the property tax classification of certain residential real estate; excluding housing districts from the calculation of local government aid reductions; modifying the interest rate reduction program; changing the definition of mentally ill person; consolidating special needs housing programs; clarifying and amending biennial reporting requirement; authorizing new construction of accessible housing; authorizing off-reservation home improvement program; appropriating money; amending Minnesota Statutes 1990, sections 116C.04, by adding a subdivision; 268.362; 268.364, subdivision 4; 268.365, subdivision 2; 268.39; 272.02, subdivision 1; 273.11, subdivision 1, and by adding a subdivision; 273.124, subdivision 1; 273.13, subdivision 25; 273.1399, subdivision 1; 357.021, subdivision 2; 462A.03, subdivisions 10, 13, and 16; 462A.05, subdivisions 14, 20, and by adding subdivisions; 462A.08, subdivision 2; 462A.21, subdivisions 4k, 12a, 14, and by adding a subdivision; 462A.22, subdivision 9; 462A.222, subdivision 3; 462C.03, subdivision 10; 469.011, subdivision 4; 469.012, subdivision 1; 469.015, subdivisions 3, 4, and by adding a subdivision; 469.176, subdivision 4f; 474A.048, subdivision 2; 481.02, subdivision 3; 504.02; 504.18, subdivision 1; 504.185, subdivision 2; 504.20, subdivisions 3, 4, 5, and 7; 504.27; 504.33, subdivisions 3, 5, and 7; 504.34, subdivisions 3, 5, and 6; 559.17, subdivision 2; 566.03, subdivision 1; 566.17, by adding a subdivision; 566.175, subdivision 6; 566.18, subdivision 9; 566.19, subdivision 2; 566.205, subdivisions 1, 3, and 4; 566.21, subdivision 2; 566.25; 566.29, subdivisions 2 and 4; 566.34, subdivision 2; and 576.01, subdivision 2; Laws 1974,

chapter 285, section 4, as amended; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1988, chapter 594, section 6; Laws 1989, chapter 335, article 1, section 27, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 115C; 116K; 268; 273; 504; and 609; proposing coding for new law as Minnesota Statutes, chapter 297E; repealing Minnesota Statutes 1990, section 462A.05, subdivisions 28 and 29.

Reported the same back with the following amendments:

Pages 55 and 56, delete sections 1 and 2

Pages 57 and 58, delete section 5

Page 58, line 3, delete "3" and insert "1"

Page 58, line 5, delete "4" and insert "2"

Page 58, line 8, delete everything after the period

Page 58, delete lines 9 to 11

Renumber the sections in article 7 in sequence

Pages 59 to 82, delete article 9

Page 82, line 12, delete "10" and insert "9"

Amend the title as follows:

Page 1, line 21, delete "imposing a tax on wholesalers"

Page 1, delete lines 22 to 25

Page 1, line 26, delete "reductions;"

Page 1, line 35, delete "272.02, subdivision 1; 273.11,"

Page 1, delete lines 36 and 37

Page 1, line 38, delete "subdivision 1;"

Page 1, line 43, delete "462C.03, subdivision 10;"

Page 1, line 46, delete "469.176, subdivision 4f;"

Page 2, lines 10 and 11, delete "Laws 1974, chapter 285, section 4, as amended;"

Page 2, line 16, delete "273;" and delete "proposing coding"

Page 2, line 17, delete line 17

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

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 996, A bill for an act relating to utilities; requiring that applicants under the telephone assistance plan be certified by the department of human services for eligibility before receiving benefits; requiring reports; amending Minnesota Statutes 1990, section 237.70, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 25, before the period insert "and must provide examples of acceptable proof. The application must state that failure to submit proof with the application will result in the applicant being found ineligible"

Page 2, line 27, delete the first "an" and insert "a completed"

Page 2, line 29, after the period insert "If the department fails to do so, it shall within three working days provide written notice to the applicant's telephone company that the company shall provide telephone assistance plan credits against monthly charges in the earliest possible month following receipt of the written notice. The applicant must receive telephone assistance plan credits until the earliest possible month following the company's receipt of notice from the department that the applicant is ineligible."

Page 3, lines 17 and 18, delete "no longer" and insert "not"

Page 3, line 27, delete "or transfers"

Page 3, line 29, delete "or transfer"

Page 3, line 31, delete everything after "disconnected" and insert a period

Page 3, delete line 32

Page 3, line 33, delete "or transfer." and delete "or"

Page 3, line 34, delete "transfer"

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

The report was adopted.

Vellenga from the Committee on Judiciary to which was referred:

H. F. No. 1123, A bill for an act relating to human rights; limiting certain defenses; amending Minnesota Statutes 1990, section 363.02, subdivision 5.

Reported the same back with the following amendments:

Page 1, line 24, after the period insert "Nothing in this section authorizes recovery for specific damages recovered under another statutory or common law protection."

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

The report was adopted.

Vellenga from the Committee on Judiciary to which was referred:

H. F. No. 1273, A bill for an act relating to children; modifying child protection system data practices study requirements; amending Laws 1990, chapter 542, section 36.

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

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Simoneau, Boo, Begich, Jaros and Rice introduced:

H. F. No. 1655, A bill for an act relating to taxation; authorizing the department of trade and economic development to issue obligations to finance construction of aircraft maintenance and repair facilities; providing tax credits for job creation; providing an exemption from sales tax for certain equipment and materials; authorizing establishment of tax increment financing districts in the cities of Duluth and Hibbing; authorizing the metropolitan airports commission to operate outside the metropolitan area; amending Minnesota Statutes 1990, sections 290.06, by adding a subdivision; and 473.608, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116J and 297A.

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

Runbeck; Dawkins; Johnson, V.; Olsen, S., and Orenstein introduced:

H. F. No. 1656, A bill for an act relating to cities; permitting the appointment of citizen budget advisory committees; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Steensma, Trimble and Morrison introduced:

H. F. No. 1657, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Kelso, Cooper, Sviggum, Kalis and Vellenga introduced:

H. F. No. 1658, A bill for an act relating to health; establishing a state board of physical therapy; providing licensing requirements for physical therapists; amending Minnesota Statutes 1990, sections 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; 148.78; and 214.01, subdivi-

sion 2; proposing coding for new law in Minnesota Statutes, chapter 148.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Welle and Kalis introduced:

H. A. No. 13, A proposal to study feasibility of allowing local governments flexibility in using turnback funds.

The advisory was referred to the Committee on Transportation.

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. 472, A bill for an act relating to occupations and professions; amending the definition of high pressure piping; amending Minnesota Statutes 1990, section 326.461, subdivision 2.

H. F. No. 697, A bill for an act relating to credit unions; providing that credit unions may be designated as depositories of state funds; providing for the election of a supervisory committee; clarifying investment authority of board of directors; amending Minnesota Statutes 1990, sections 9.031, subdivision 1; 52.04, subdivision 1; 52.08; and 52.09, subdivision 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. 350.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 350, A bill for an act relating to the environment; adding a purpose for expenditure from the metropolitan landfill contingency action trust fund; authorizing the city of Hopkins to issue bonds to pay for environmental response costs at a landfill; authorizing the city to impose a solid waste collection surcharge; authorizing a landfill cleanup assessment against property; authorizing a service charge; appropriating money; amending Minnesota Statutes 1990, section 473.845, subdivision 3.

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

CONSENT CALENDAR

H. F. No. 983, A bill for an act relating to Ramsey county; changing Ramsey county special laws to make them consistent with the county home rule charter; amending Minnesota Statutes 1990, sections 383A.06, subdivision 2; 383A.16, subdivision 4; 383A.20, subdivision 10; 383A.32, subdivision 1; and 383A.50, subdivision 4; repealing Minnesota Statutes 1990, sections 383A.04; 383A.06, subdivision 3; 383A.07, subdivisions 6, 15, and 20; 383A.16, subdivision 5; 383A.20, subdivisions 1, 6 to 9, and 11; 383A.23, subdivision 1; 383A.24; 383A.25; 383A.45; 383A.46; 383A.48; 383A.49; and 383A.50, subdivisions 1 and 3.

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 133 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R. H.	Beard	Bettermann	Bodahl
Anderson, I.	Battaglia	Begich	Bishop	Boo
Anderson, R.	Bauerly	Bertram	Blatz	Brown

Carlson	Heir	Long	Orfield	Solberg
Clark	Henry	Lourey	Osthoff	Sparby
Cooper	Hufnagle	Lynch	Ostrom	Stanius
Dauner	Hugoson	Macklin	Ozment	Steensma
Davids	Jacobs	Mariani	Pauly	Sviggum
Dawkins	Janezich	Marsh	Pellow	Swenson
Dempsey	Jaros	McEachern	Pelowski	Thompson
Dille	Jefferson	McGuire	Peterson	Tompkins
Dorn	Jennings	McPherson	Pugh	Trimble
Erhardt	Johnson, A.	Milbert	Reding	Tunheim
Farrell	Johnson, R.	Morrison	Rest	Uphus
Frederick	Johnson, V.	Munger	Rice	Valento
Frerichs	Kahn	Murphy	Rodosovich	Vellenga
Garcia	Kalis	Nelson, K.	Rukavina	Wagenius
Girard	Kelso	Nelson, S.	Runbeck	Waltman
Goodno	Kinkel	Newinski	Sarna	Weaver
Greenfield	Knickerbocker	O'Connor	Schafer	Wejcmann
Gruenes	Koppendrayner	Ogren	Scheid	Welker
Gutknecht	Krinkie	Olsen, S.	Schreiber	Welle
Hanson	Krueger	Olson, E.	Seaberg	Wenzel
Hartle	Lasley	Olson, K.	Segal	Winter
Hasskamp	Leppik	Omann	Simoneau	Spk. Vanasek
Haukoos	Lieder	Onnen	Skoglund	
Hausman	Limmer	Orenstein	Smith	

Those who voted in the negative were:

Carruthers

The bill was passed and its title agreed to.

H. F. No. 1105, A bill for an act relating to Ramsey county; providing for additional civil service certification of underrepresented groups; amending Minnesota Statutes 1990, section 383A.291, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Brown	Frerichs	Hufnagle	Knickerbocker
Anderson, I.	Carlson	Garcia	Hugoson	Koppendrayner
Anderson, R.	Carruthers	Girard	Jacobs	Krinkie
Anderson, R. H.	Clark	Goodno	Janezich	Krueger
Battaglia	Cooper	Greenfield	Jaros	Lasley
Bauerly	Dauner	Gruenes	Jefferson	Leppik
Beard	Davids	Gutknecht	Jennings	Lieder
Begich	Dawkins	Hanson	Johnson, A.	Limmer
Bertram	Dempsey	Hartle	Johnson, R.	Long
Bettermann	Dille	Hasskamp	Johnson, V.	Lourey
Bishop	Dorn	Haukoos	Kahn	Lynch
Blatz	Erhardt	Hausman	Kalis	Macklin
Bodahl	Farrell	Heir	Kelso	Mariani
Boo	Frederick	Henry	Kinkel	Marsh

McEachern	Olson, E.	Pugh	Simoneau	Uphus
McGuire	Olson, K.	Reding	Skoglund	Valento
McPherson	Omann	Rest	Smith	Vellenga
Milbert	Onnen	Rice	Solberg	Wagenius
Morrison	Orenstein	Rodosovich	Sparby	Waltman
Munger	Orfield	Rukavina	Stanius	Weaver
Murphy	Osthoff	Runbeck	Steensma	Wejcman
Nelson, K.	Ostrom	Sarna	Sviggum	Welle
Nelson, S.	Ozment	Schafer	Swenson	Wenzel
Newinski	Pauly	Scheid	Thompson	Winter
O'Connor	Pellow	Schreiber	Tompkins	Spk. Vanasek
Ogren	Pelowski	Seaberg	Trimble	
Olsen, S.	Peterson	Segal	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 1282, A bill for an act relating to local government; providing procedures for storm sewer improvements; amending Minnesota Statutes 1990, section 444.18, by adding a subdivision; repealing Minnesota Statutes 1990, section 444.18, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Kelso	Ogren	Segal
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Simoneau
Anderson, R.	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, R. H.	Girard	Koppendraye	Olson, K.	Smith
Battaglia	Goodno	Krinkie	Omann	Solberg
Bauerly	Greenfield	Krueger	Onnen	Sparby
Beard	Gruenes	Lasley	Orenstein	Stanius
Begich	Gutknecht	Leppik	Orfield	Steensma
Bertram	Hanson	Lieder	Osthoff	Sviggum
Bettermann	Hartle	Limmer	Ostrom	Swenson
Bishop	Hasskamp	Long	Ozment	Thompson
Blatz	Haukoos	Lourey	Pauly	Tompkins
Bodahl	Hausman	Lynch	Pellow	Trimble
Boo	Heir	Macklin	Pelowski	Tunheim
Brown	Henry	Mariani	Peterson	Uphus
Carlson	Hufnagle	Marsh	Pugh	Valento
Carruthers	Hugoson	McEachern	Reding	Vellenga
Clark	Jacobs	McGuire	Rest	Wagenius
Cooper	Janezich	McPherson	Rice	Waltman
Dauner	Jaros	Milbert	Rodosovich	Weaver
Dauids	Jefferson	Morrison	Rukavina	Wejcman
Dawkins	Jennings	Munger	Runbeck	Welker
Dempsey	Johnson, A.	Murphy	Sarna	Welle
Dille	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dorn	Johnson, V.	Nelson, S.	Scheid	Winter
Erhardt	Kahn	Newinski	Schreiber	Spk. Vanasek
Farrell	Kalis	O'Connor	Seaberg	

The bill was passed and its title agreed to.

H. F. No. 1396, A bill for an act relating to local government; allowing Pine county to transfer money from the county welfare fund to the general fund to support a hospital.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Kelso	Ogren	Segal
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Simoneau
Anderson, R.	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, R. H.	Girard	Koppendrayer	Olson, K.	Smith
Battaglia	Goodno	Krinkie	Omann	Solberg
Bauerly	Greenfield	Krueger	Onnen	Sparby
Beard	Gruenes	Lasley	Orenstein	Stanis
Begich	Gutknecht	Leppik	Orfield	Steensma
Bertram	Hanson	Lieder	Osthoff	Sviggum
Bettermann	Hartle	Limmer	Ostrom	Swenson
Bishop	Hasskamp	Long	Ozment	Thompson
Blatz	Haukoos	Lourey	Pauly	Tompkins
Bodahl	Hausman	Lynch	Pellow	Trimble
Boo	Heir	Macklin	Pelowski	Tunheim
Brown	Henry	Mariani	Peterson	Uphus
Carlson	Hufnagle	Marsh	Pugh	Valento
Carruthers	Hugoson	McEachern	Reding	Vellenga
Clark	Jacobs	McGuire	Rest	Wagenius
Cooper	Janezich	McPherson	Rice	Waltman
Dauner	Jaros	Milbert	Rodosovich	Weaver
Davids	Jefferson	Morrison	Rukavina	Wejcmann
Dawkins	Jennings	Munger	Runbeck	Welker
Dempsey	Johnson, A.	Murphy	Sarna	Welle
Dille	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dorn	Johnson, V.	Nelson, S.	Scheid	Winter
Erhardt	Kahn	Newinski	Schreiber	Spk. Vanasek
Farrell	Kalis	O'Connor	Seaberg	

The bill was passed and its title agreed to.

H. F. No. 1418, A bill for an act relating to human services; Minnesota comprehensive health association; clarifying the calculation of contributing members' share of expenses; excluding medical assistance and general assistance medical care payments from the calculation; amending Minnesota Statutes 1990, section 62E.11, subdivision 5.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Kelso	Ogren	Segal
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Simoneau
Anderson, R.	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, R. H.	Girard	Koppendrayer	Olson, K.	Smith
Battaglia	Goodno	Krinkie	Omann	Solberg
Bauerly	Greenfield	Krueger	Onnen	Sparby
Beard	Gruenes	Lasley	Orenstein	Stanius
Begich	Gutknecht	Leppik	Orfield	Steensma
Bertram	Hanson	Lieder	Osthoff	Sviggum
Bettermann	Hartle	Limmer	Ostrom	Swenson
Bishop	Hasskamp	Long	Ozment	Thompson
Blatz	Haukoos	Lourey	Pauly	Tompkins
Bodahl	Hausman	Lynch	Pellow	Trimble
Boo	Heir	Macklin	Pelowski	Tunheim
Brown	Henry	Mariani	Peterson	Uphus
Carlson	Hufnagle	Marsh	Pugh	Valento
Carruthers	Hugoson	McEachern	Reding	Vellenga
Clark	Jacobs	McGuire	Rest	Wagenius
Cooper	Janezich	McPherson	Rice	Waltman
Dauner	Jaros	Milbert	Rodosovich	Weaver
Davids	Jefferson	Morrison	Rukavina	Wejcman
Dawkins	Jennings	Munger	Runbeck	Welker
Dempsey	Johnson, A.	Murphy	Sarna	Welle
Dille	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dorn	Johnson, V.	Nelson, S.	Scheid	Winter
Erhardt	Kahn	Newinski	Schreiber	Spk. Vanasek
Farrell	Kalis	O'Connor	Seaberg	

The bill was passed and its title agreed to.

H. F. No. 1549 was reported to the House.

Wenzel moved to amend H. F. No. 1549, the first engrossment, as follows:

Page 2, line 9, delete "1991" and insert "1981"

The motion prevailed and the amendment was adopted.

H. F. No. 1549, A resolution memorializing the President and the Congress of the United States to take action to alleviate the crisis in the Midwest dairy industry.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Olson, E.	Skoglund
Anderson, I.	Garcia	Koppendrayner	Olson, K.	Smith
Anderson, R.	Girard	Krinkie	Omann	Solberg
Anderson, R. H.	Goodno	Krueger	Onnen	Sparby
Battaglia	Greenfield	Lasley	Orenstein	Stanius
Bauerly	Gruenes	Leppik	Orfield	Steensma
Beard	Gutknecht	Lieder	Osthoff	Sviggum
Begich	Hanson	Limmer	Ostrom	Swenson
Bertram	Hartle	Long	Ozment	Thompson
Bettermann	Hasskamp	Lourey	Pauly	Tompkins
Bishop	Haukoos	Lynch	Pellow	Trimble
Blatz	Hausman	Macklin	Pelowski	Tunheim
Bodahl	Henry	Mariani	Peterson	Uphus
Boo	Hufnagle	Marsh	Pugh	Valento
Brown	Hugoson	McEachern	Reding	Vellenga
Carlson	Jacobs	McGuire	Rest	Wagenius
Carruthers	Janezich	McPherson	Rice	Waltman
Clark	Jaros	Milbert	Rodosovich	Weaver
Cooper	Jefferson	Morrison	Rukavina	Wejzman
Dauner	Jennings	Munger	Runbeck	Welker
Davids	Johnson, A.	Murphy	Sarna	Welle
Dawkins	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dempsey	Johnson, V.	Nelson, S.	Scheid	Winter
Dille	Kahn	Newinski	Schreiber	Spk. Vanasek
Dorn	Kalis	O'Connor	Seaberg	
Erhardt	Kelso	Ogren	Segal	
Farrell	Kinkel	Olsen, S.	Simoneau	

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

S. F. No. 6, A bill for an act relating to insurance; clarifying policy requirement provisions relating to Medicare supplement insurance plans; amending Minnesota Statutes 1990, section 62A.31, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Hartle	Kelso	McPherson
Anderson, I.	Dauner	Hasskamp	Kinkel	Milbert
Anderson, R.	Davids	Haukoos	Knickerbocker	Morrison
Anderson, R. H.	Dawkins	Hausman	Koppendrayner	Munger
Battaglia	Dempsey	Heir	Krinkie	Murphy
Bauerly	Dille	Henry	Krueger	Nelson, K.
Beard	Dorn	Hufnagle	Lasley	Nelson, S.
Begich	Erhardt	Hugoson	Leppik	Newinski
Bertram	Farrell	Jacobs	Lieder	O'Connor
Bettermann	Frederick	Janezich	Limmer	Ogren
Bishop	Frerichs	Jaros	Long	Olsen, S.
Blatz	Garcia	Jefferson	Lourey	Olson, E.
Bodahl	Girard	Jennings	Lynch	Olson, K.
Boo	Goodno	Johnson, A.	Macklin	Omann
Brown	Greenfield	Johnson, R.	Mariani	Onnen
Carlson	Gruenes	Johnson, V.	Marsh	Orenstein
Carruthers	Gutknecht	Kahn	McEachern	Orfield
Clark	Hanson	Kalis	McGuire	Osthoff

Ostrom	Rodosovich	Simoneau	Thompson	Weaver
Ozment	Rukavina	Skoglund	Tompkins	Wejzman
Pauly	Runbeck	Smith	Trimble	Welker
Pellow	Sarna	Solberg	Tunheim	Welle
Pelowski	Schafer	Sparby	Uphus	Wenzel
Peterson	Scheid	Stanius	Valento	Winter
Pugh	Schreiber	Steensma	Vellenga	Spk. Vanasek
Reding	Seaberg	Sviggun	Wagenius	
Rice	Segal	Swenson	Waltman	

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 977 was reported to the House.

Solberg moved to amend H. F. No. 977, the first engrossment, as follows:

Page 4, line 17, after "an" insert "average monthly"

Page 4, line 19, delete "in any calendar month"

The motion prevailed and the amendment was adopted.

Solberg moved to amend H. F. No. 977, the first engrossment, as amended, as follows:

Page 2, line 19, before "acquisition" insert "or" and delete the fourth comma

Page 2, line 20, delete "or" and insert "of"

Page 4, line 19, delete everything after "pipelines" and insert ", not including the amount of motor fuel sold at retail;"

Page 6, line 15, delete everything after "(7)" and insert "describe contracts, correspondence, or other documentation showing"

Page 7, line 34, after the period insert "Before requesting an unannounced drill the requesting commissioner shall notify the other commissioners that a drill will be requested and invite them to participate in or witness the drill. No person may be required to conduct more than one unannounced drill within a calendar year if the person conducted the previous drill to the satisfaction of the commissioners."

Page 8, line 17, after the period insert "If the commissioners order

conflicting amendments to a plan the coordinator named in section 8 shall, in consultation with the commissioners resolve the conflict."

Page 8, line 29, before "The" insert "In addition to the authority of the commissioner of the pollution control agency under other law,"

Page 8, line 32, delete everything after "violations" and insert "of this chapter, section 115.061, or rules adopted by the pollution control agency under sections 115.03, subdivision 1, paragraph (e), clause (3), and 116.49."

Page 8, line 33, delete everything before "The"

Page 9, line 4, delete "or provide a letter of credit"

Page 11, line 18, delete "COMMUNICATION REVIEW" and insert "REVIEWS"

Page 11, after line 18, insert:

"Subdivision 1. [COMMUNICATION REVIEW.]"

Page 11, after line 31, insert:

"Subd. 2. [REVIEW OF RESPONSE AND MAJOR DISCHARGE CLEANUP.] The commissioner of the pollution control agency, in consultation with public and private responders, shall review current state practices for response and followup to discharges and report to the legislature by January 1, 1992. The review must recommend how preparing, training, and directing state, local, and private responders should be done; evaluate and recommend procedures for cleanup oversight of pipeline and tank discharges occurring before the effective date of this act; evaluate adequacy of existing resources and authorities for response and cleanup oversight; and recommend whether liability provisions of existing law related to discharges should be amended."

Page 12, line 25, delete everything after "on" and insert "or after March 1, 1991."

The motion prevailed and the amendment was adopted.

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

Welker and Cooper moved to amend H. F. No. 977, the first engrossment, as amended, as follows:

Page 12, after line 5, insert:

"Sec. 12. Minnesota Statutes 1990, section 116.38, is amended by adding a subdivision to read:

Subd. 3. [LOCAL PERMIT.] A proposal to burn PCBs that requires an environmental impact statement under subdivision 2 is a land use that must be separately permitted by the local government unit in which the facility to burn the PCBs is located. PCBs may not be burned at the facility until a permit is issued by the local government unit to specifically authorize the burning."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Kahn raised a point of order pursuant to rule 3.09 that the Welker and Cooper amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

The question recurred on the Welker and Cooper amendment and the roll was called. There were 53 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Goodno	Kalis	Ostrom	Swiggum
Bettermann	Gruenes	Koppendrayner	Ozment	Tompkins
Blatz	Gutknecht	Krinkie	Pauly	Trimble
Brown	Hartle	Lynch	Pellow	Uphus
Cooper	Haukoos	Macklin	Pelowski	Valento
Davids	Heir	Marsh	Peterson	Waltman
Dempsey	Henry	McPherson	Reding	Welker
Erhardt	Hufnagle	Morrison	Schafer	Welle
Frederick	Hugoson	Olson, K.	Seaberg	Winter
Frerichs	Jennings	Omann	Smith	
Girard	Johnson, V.	Onnen	Stanisus	

Those who voted in the negative were:

Abrams	Carlson	Hausman	Lieder	Newinski
Anderson, I.	Carruthers	Jacobs	Long	O'Connor
Anderson, R. H.	Clark	Jefferson	Lourey	Ogren
Battaglia	Dauner	Johnson, A.	Mariani	Olsen, S.
Bauerly	Dille	Johnson, R.	McEachern	Olson, E.
Beard	Dorn	Kahn	Milbert	Orenstein
Begich	Farrell	Kelso	Munger	Orfield
Bertram	Garcia	Kinkel	Murphy	Osthoff
Bodahl	Greenfield	Lasley	Nelson, K.	Pugh
Boo	Hanson	Leppik	Nelson, S.	Rest

Rice	Scheid	Solberg	Tunheim	Wenzel
Rodosovich	Schreiber	Sparby	Vellenga	Spk. Vanasek
Rukavina	Segal	Steensma	Wagenius	
Runbeck	Simoneau	Swenson	Weaver	
Sarna	Skoglund	Thompson	Wejcman	

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

H. F. No. 977, A bill for an act relating to the environment; prescribing who must prevent, prepare for, and respond to worst case discharges of oil and hazardous substances; describing response plans; authorizing the commissioners of the pollution control agency and departments of agriculture and public safety to order compliance; providing for good samaritan assistance; authorizing cooperation between public and private responders; requiring the establishment of a single answering point system; authorizing citizens advisory groups; providing penalties; amending Minnesota Statutes 1990, section 116.072, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 115E.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Farrell	Kelso	Olsen, S.	Simoneau
Anderson, I.	Frederick	Kinkel	Olson, E.	Skoglund
Anderson, R.	Frerichs	Knickerbocker	Olson, K.	Smith
Anderson, R. H.	Garcia	Koppendrayner	Omann	Solberg
Battaglia	Girard	Krinkie	Onnen	Sparby
Bauerly	Goodno	Lasley	Orenstein	Stanius
Beard	Greenfield	Leppik	Orfield	Steensma
Begich	Gruenes	Lieder	Osthoff	Sviggum
Bertram	Hanson	Limmer	Ostrom	Swenson
Bettermann	Hartle	Long	Ozment	Thompson
Bishop	Hasskamp	Lourey	Pauly	Tompkins
Blatz	Haukoos	Lynch	Pellow	Trimble
Bodahl	Hausman	Macklin	Pelowski	Tunheim
Boo	Heir	Mariani	Peterson	Uphus
Brown	Henry	Marsh	Pugh	Valento
Carlson	Hufnagle	McEachern	Reding	Vellenga
Carruthers	Hugoson	McGuire	Rest	Wagenius
Clark	Jacobs	Milbert	Rice	Waltman
Cooper	Janezich	Morrison	Rodosovich	Weaver
Dauner	Jefferson	Munger	Runbeck	Wejcman
Davids	Jennings	Murphy	Sarna	Welker
Dawkins	Johnson, A.	Nelson, K.	Schafer	Welle
Dempsey	Johnson, R.	Nelson, S.	Scheid	Wenzel
Dille	Johnson, V.	Newinski	Schreiber	Winter
Dorn	Kahn	O'Connor	Seaberg	Spk. Vanasek
Erhardt	Kalis	Ogren	Segal	

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

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

GENERAL ORDERS

Long moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Tunheim moved that his name be stricken and the name of Trimble be shown as chief author on H. F. No. 1185. The motion prevailed.

Macklin moved that the names of Smith and Marsh be added as authors on H. F. No. 1272. The motion prevailed.

Dawkins moved that the name of Pugh be added as an author on H. F. No. 1295. The motion prevailed.

Wagenius moved that the name of Smith be added as an author on H. F. No. 1616. The motion prevailed.

Vellenga moved that the name of Limmer be added as an author on H. F. No. 1621. The motion prevailed.

Runbeck moved that the name of Clark be added as an author on H. F. No. 1653. The motion prevailed.

Stanius moved that H. F. No. 1604 be recalled from the Committee on Education and be re-referred to the Committee on Appropriations. The motion prevailed.

ADJOURNMENT

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, April 24, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives