

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

SIXTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 10, 1976

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kahn	Munger	Sherwood
Adams, L.	Eckstein	Kaley	Neisen	Sieben, H.
Adams, S.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Farcy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Volk
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vento the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 995, 1284, 1322, 1323, 2038 and 568 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

February 9, 1976

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
	1741	3	February 6	February 6
816		4	February 6	February 6
866		5	February 6	February 6
906		6	February 6	February 6
1507		7	February 6	February 6

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1870, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Laws 1975, Chapter 433, Section 12.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1871, A bill for an act relating to public employees; annuity purchase administrative expenses; amending Laws 1975, Chapter 433, Section 12.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations.

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1397, A bill for an act relating to the organization and operation of state government; education; establishing a higher education governance board; transferring powers, duties and obligations of the university of Minnesota board of regents, the Minnesota higher education coordinating commission, the state college board, and the community college board to the higher education governance board.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 136A.02, Subdivision 1, is amended to read:

136A.02 [MEMBERSHIP; OFFICERS; COMPENSATION; ADVISORY COMMITTEES.] Subdivision 1. The higher education coordinating (COMMISSION) board shall consist of (EIGHT CITIZEN) (a) *twelve public members*(, ONE FROM EACH CONGRESSIONAL DISTRICT,) to be appointed by the governor with the advice and consent of the senate, (AND THREE CITIZEN MEMBERS ALSO) (b) *one member each from the board of regents of the university of Minnesota, the state university board, the state board for community colleges and the state board of education* to be appointed by the (GOV-

ERNOR BY AND WITH THE ADVICE AND CONSENT OF THE SENATE TO REPRESENT THE STATE AT LARGE) members of their respective boards, and (c) the executive director of the Minnesota private college council. The members representing the five systems, enumerated in clauses (b) and (c) of this subdivision, shall be *ex officio*, nonvoting members of the board. Each congressional district shall be represented on the board. All appointees to the board shall be selected for their knowledge of and interest in post secondary education (AND AT LEAST ONE SHALL BE SELECTED SPECIFICALLY FOR HIS KNOWLEDGE OF AND INTEREST IN VOCATIONAL EDUCATION).

Citizen members of the (COMMISSION) board on (MAY 22, 1971) the effective date of this act shall continue as public members of the (COMMISSION) board under the provisions of their appointments, except that their terms shall end on the first Monday in January in the year in which their terms would have ended under the provisions of Minnesota Statutes, Section 136A.02, Subdivision 1.

(EXCEPT AS PROVIDED IN SUBDIVISION 2) all appointed members shall be appointed for a four year term beginning on (FEBRUARY 15) the first Tuesday in January in the year in which the term begins, except that appointed members added by the provisions of this act shall be appointed in the following manner to terms beginning on the effective date of this act and ending on the following dates:

(a) The first Monday in January, 1977: one member of the board of regents;

(b) the first Monday in January, 1978: one member of the state university board;

(c) the first Monday in January, 1979: one member of the state board for community colleges;

(d) the first Monday in January 1980: one public member and one member of the state board of education.

The members representing the four boards and the private college council shall be appointed to terms consistent with, to the extent possible, their terms on their respective boards. Vacancies in the (COMMISSION) board shall be filled by appointments for the unexpired term. All members shall serve until their successors are appointed and have qualified.

Sec. 2. Minnesota Statutes 1974, Section 136A.02, Subdivision 2, is amended to read:

Subd. 2. (THE MEMBERS OF THE FIRST HIGHER EDUCATION COORDINATING COMMISSION WHO ARE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE SHALL BE APPOINTED AS FOLLOWS: FOUR OF THE CITIZEN MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE SHALL BE APPOINTED FOR A TERM ENDING FEBRUARY 15, 1967, AND THE REMAINING FOUR FOR A TERM ENDING FEBRUARY 15, 1969. THE FIRST MEMBERS OF THE COMMISSION APPOINTED BY THE GOVERNOR AS CITIZEN MEMBERS TO REPRESENT THE STATE AT LARGE SHALL BE APPOINTED FOR TERMS ENDING FEBRUARY 15, 1975.) *An appointed member may be removed by his appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The president of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that he may be removed if he misses the next meeting.*

Sec. 3. Minnesota Statutes 1974, Section 136A.02, Subdivision 4, is amended to read:

Subd. 4. Members of the higher education coordinating (COMMISSION) board shall (SERVE WITHOUT COMPENSATION) *be compensated at the rate of \$35 per day spent on board activities, when authorized by the board. They shall be reimbursed(, HOWEVER,) in addition for travel, subsistence, and other reasonable expenses incurred in the performance of their duties in the same manner and in the same amounts as other state officers and employees are reimbursed. Members who are full time employees of the state or of the political subdivisions of the state shall not receive the \$35 per day, but they shall suffer no loss in compensation or benefits from the state or a political subdivision as a result of their service on the board. Members who are full time employees of the state or the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source.*

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 136A.04, is amended to read:

136A.04 [DUTIES.] The higher education coordinating (COMMISSION) board shall:

(a) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state in respect thereto;

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring states and agencies of the federal government;

(c) Act as successor to any committee or commission heretofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the university of Minnesota, the state (COLLEGES) *universities*, the community colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the (COMMISSION) *board* as being unnecessary or a needless duplication of existing programs;

(e) Develop in cooperation with the post-secondary systems, committee on appropriations of the house of representatives, committee on finance of the senate, and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the university of Minnesota, the state (COLLEGE) *university* system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output;

(f) *Review and comment on budget requests, including plans for construction and acquisition of facilities, of the public post-secondary vocational-technical schools for the purpose of relating present resources and higher educational programs to the state's present and long range needs;*

((F)) (g) *Review and approve, disapprove, or modify budget requests, including plans for construction or acquisition of facilities, of the university of Minnesota, the state (COLLEGES,) universities and the state community colleges(, AND PUBLIC VOCATIONAL TECHNICAL SCHOOLS) for the purpose of relating present resources and higher educational programs to the state's present and long range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including the assessments as to the extent to which the expenditures and accomplishments are consistent with legislative intent; provided, the board shall base its actions with respect to budget requests pursuant to this section on current levels of wages and economic fringe benefits rather than on any estimates of future levels of wages and economic fringe benefits;*

(h) *Make unified presentations to the legislature of the budget requests, as approved or modified by the board, of the university of Minnesota, the state universities and the state community colleges; however, nothing in this clause shall be construed to prohibit these systems from presenting to the legislature any areas of disagreement with these unified presentations;*

((G)) (i) Obtain from private post-secondary institutions receiving state funds a report on their use of those funds.

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 136A.05, is amended to read:

136A.05 [COOPERATION OF INSTITUTIONS OF HIGHER EDUCATION.] All institutions of higher education, public and private, and all state departments and agencies (ARE REQUESTED TO) *shall cooperate with and supply written information requested by the higher education coordinating (COMMISSION) board in order to enable it to carry out and perform its duties.*

Sec. 6. Minnesota Statutes 1974, Section 136A.07, is amended to read:

136A.07 [REPORTS.] The higher education coordinating (COMMISSION) *board shall report to the governor concerning its activities from time to time and may report in connection therewith to the governing body of each institution of higher education in the state, both public and private. It shall file a formal report with the governor not later than October 15 of each even numbered year so that the information therein contained, including recommendations, approvals, disapprovals, and modifications of budget requests, may be embodied in the governor's budget message to the legislature. It shall also report to the legislature not later than November 15 of each even numbered year.*

Sec. 7. [LEGISLATIVE ADVISORY TASK FORCE.] *Subdivision 1. A legislative advisory task force is created to study the structure, governance, coordination and planning of post-secondary education in Minnesota.*

Subd. 2. The task force established in subdivision 1 shall (1) review the existing structure, governance, coordination and planning of post-secondary education, (2) assess anticipated conditions which will require appropriate attention through the state's arrangement for structure, governance, coordination and planning of post-secondary education in the future, (3) seek to clarify the future role and functions of the higher education coordinating board, and (4) determine any modifications in the structure, governance, coordination and planning of post-secondary education which offer promise of improving the capacity of the state to fulfill its responsibility in meeting the

needs of Minnesota residents for post-secondary education. The task force shall review and consider all proposals for change in the structure, governance, coordination and planning of post-secondary education currently before the legislature and any additional proposals which may be conceived by the task force or which may be forthcoming during the existence of the task force.

Subd. 3. The task force shall be bipartisan and shall consist of six members of the house of representatives appointed by the speaker and six members of the senate appointed by the senate committee on committees, and three citizen members appointed by the governor. Any vacancies shall be filled by the appointing authority.

Legislator members of the task force shall be reimbursed in the same manner and amount as for attendance at legislative meetings. Citizen members shall be compensated in the manner and amount prescribed for members of advisory councils and committees in section 15.059, subdivision 3.

Subd. 4. The task force shall act from the time its members are appointed until January 15, 1977. It shall report its findings and recommendations to the legislature not later than January 15, 1977.

Subd. 5. The task force shall hold meetings and hearings at the times and places it designates to accomplish its purposes. It shall select a chairman and other officers from its members.

Subd. 6. The task force shall employ a staff and contract with consultants as necessary. In order to assure an independent and objective assessment, any professional staff or consultants shall be selected from persons outside the state of Minnesota. The higher education coordinating board shall assist the task force with any research, analyses and other activities which the task force may request and shall provide office space and such staff assistance as may be requested.

Subd. 7. All institutions and systems providing post-secondary education are requested to cooperate fully in making information available to the task force.

Sec. 8. Sections 1, 2, 3, 5, 7, 9 and 10 of this act shall be effective the day following final enactment. Sections 4 and 6 of this act shall be effective April 1, 1978.

Sec. 9. There is appropriated from the general fund in the state treasury to the legislative advisory task force created in section 7 the sum of \$300,000 to pay the expenses of the task force and to provide the necessary staff, administrative services, and office space to allow the task force to carry out the purposes of section 7.

Sec. 10. *There is appropriated from the general fund in the state treasury to the higher education coordinating board the sum of \$90,000. This appropriation shall be added to that appropriated in Laws 1975, Chapter 433, Section 10, Subdivision 1."*

Amend the title as follows:

Page 1, line 3, delete "education; establishing a higher".

Page 1, delete lines 4 to 9 and insert "changing the membership of the higher education coordinating board and establishing new duties for the board; creating a legislative advisory task force; amending Minnesota Statutes 1974, Sections 136A.02, Subdivisions 1, 2 and 4; 136A.07; and Minnesota Statutes, 1975 Supplement, Sections 136A.04; and 136A.05."

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1901, A bill for an act relating to education; authorizing the establishment of higher education extension centers to serve downtown St. Paul and its surrounding area; appropriating money.

Reported the same back with the following amendments:

Page 1, line 8, delete "three to".

Page 1, line 9, delete "five" and insert "one pilot".

Page 1, line 9, delete "centers" and insert "center".

Page 1, line 9, after "as" insert "the".

Page 1, line 10, delete "centers" and insert "center".

Page 1, line 12, delete "centers" and insert "center".

Page 1, line 16, delete "centers" and insert "center".

Page 1, line 20, delete "centers" and insert "center".

Page 1, line 22, after "participate" insert "or by independent school district No. 625".

Page 2, line 1, delete "these centers" and insert "the center".

Page 2, line 3, delete "centers" and insert "center".

Page 2, line 11, delete "centers" and insert "center".

Page 2, line 14, delete "centers" and insert "center".

Page 2, line 16, delete "centers" and insert "center".

Page 2, line 19, delete "centers" and insert "center".

Page 2, line 24, before "and" insert "independent school district No. 625,".

Page 2, line 28, delete "commission" and insert "board".

Page 3, line 1, delete "commission" and insert "board".

Page 3, line 5, delete "centers" and insert "center".

Page 3, line 7, delete "commission" and insert "board".

Page 3, line 8, delete "centers" and insert "center".

Page 3, line 10, delete "these centers" and insert "the center".

Page 3, line 13, delete "commission" and insert "board".

Page 3, line 21, delete "commission" and insert "board".

Page 3, after line 23, insert a new section to read:

"Sec. 2. The state board shall evaluate the effectiveness of the program at the end of the second year of its operation and report the results of such evaluation to the 1978 legislature."

Renumber remaining section accordingly.

Page 3, line 29, delete "\$250,000" and insert "\$ _____".

Page 3, line 30, delete "centers" and insert "center".

Page 4, line 3, delete "commission, \$225,000" and insert "board, _____".

Amend the title as follows:

Page 1, line 3, after "of" insert "a pilot".

Page 1, line 4, delete "centers" and insert "center".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1: Minnesota Statutes 1974, Section 307.08, is amended to read:

307.08 [DAMAGES; DISCHARGE OF FIREARMS; PENALTY.] *Subdivision 1.* Every person who shall willfully destroy, mutilate, injure, or remove any tombstone, monument, or structure placed in any *public or private cemetery or authenticated and identified Indian burial ground*, or any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant within the limits thereof, and every person who, without authority from the trustees or owner, shall discharge any firearms upon or over the grounds of any *public or private cemetery or authenticated and identified Indian burial ground*, shall be guilty of a misdemeanor.

Subd. 2. Every authenticated and identified Indian burial ground shall be posted every 75 feet around its perimeter with signs listing the activities prohibited by subdivision 1 and the penalty for violation.

Subd. 3. The state archaeologist and the Indian affairs board shall authenticate and identify Indian burial grounds when requested by mail by a political subdivision or landowner which has title to Indian burial grounds.

Subd. 4. The cost of authentication and identification shall be the responsibility of the political subdivision or landowner requesting said identification and authentication.

Subd. 5. The size, description and information on the sign must be approved by the Minnesota historical society. The political subdivision or landowner who has title to the Indian burial ground must supply the signs and provide for their installation.

Subd. 6. The Indian affairs board must approve any request to relocate an authenticated and identified Indian burial ground."

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

The report was adopted.

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

H. F. No. 1881, A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; amending Minnesota Statutes 1974, Section 473B.061, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1975, Chapter 13, Section 18, is amended to read:

Sec. 18. [473.173] [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE.] Subdivision 1. The council shall review all proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency in accordance with the regulations adopted pursuant to this section and the provisions of any other relevant statute.

Subd. 2. (WITHIN 12 MONTHS FOLLOWING APRIL 12, 1974) *By September 1, 1976*, the council shall adopt *and put into effect* regulations (PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, MINNESOTA STATUTES, CHAPTER 15.) establishing standards (AND), guidelines *and procedures* for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of (ALL PROPOSED MATTERS REQUIRED TO BE CONSIDERED AND REVIEWED BY THE COUNCIL) *and final determination on such matters in accordance with the powers and requirements set forth in this section.* (THESE REGULATIONS SHALL TAKE EFFECT ON JULY 1, 1975.) The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. (THE METROPOLITAN COUNCIL SHALL SUBMIT THE REGULATIONS ADOPTED PURSUANT TO THIS SECTION TO THE SESSION OF THE LEGISLATURE IN 1975 FOR APPROVAL. THE COUNCIL SHALL ESTABLISH AN ADVISORY COMMITTEE, CONSISTING OF ELECTED OFFICIALS OF LOCAL GOVERNMENTAL UNITS AND REPRESENTATIVES OF THE METROPOLITAN AREA.)

SENTING ALL COUNCIL DISTRICTS EQUALLY, TO PROVIDE ADVICE AND MAKE RECOMMENDATIONS IN THE PREPARATION OF THESE REGULATIONS AND MAY THEREAFTER REVIEW AND MAKE RECOMMENDATIONS TO THE COUNCIL CONCERNING THE METROPOLITAN SIGNIFICANCE OF ANY PROPOSED MATTER CONSIDERED BY THE COUNCIL. THE REGULATIONS ADOPTED SHALL PROVIDE FOR A PUBLIC HEARING PRIOR TO THE DETERMINATION THAT AN ACTION IS OF METROPOLITAN SIGNIFICANCE.)

Subd. 2a. The council shall establish an advisory committee comprised of 16 officials of local governmental units, one from each council district, plus a chairperson and such other members as may be necessary to ensure at least one representative from each metropolitan county, one from each generalized policy area identified in the development framework adopted by the council on March 27, 1975 and one from metropolitan school districts. Not less than one half of the members of the advisory committee shall be elected officials. The committee shall provide advice and make recommendations in the preparation and amendment of these regulations. The committee may review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council.

Subd. 3. In developing the (ABOVE) regulations (ESTABLISHING STANDARDS AND GUIDELINES FOR DETERMINING METROPOLITAN SIGNIFICANCE) the council and the committee shall give consideration to all factors deemed relevant (TO THAT DETERMINATION) including *but not limited* to the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the *metropolitan* development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by (THE) a *metropolitan* commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act(;;).

((5) SUCH OTHER FACTORS AS ARE DEEMED RELEVANT.)

Subd. 4. The regulations (ESTABLISHING A PROCEDURE FOR THE REVIEW OF PROPOSED MATTERS) shall include, (AMONG OTHER PROVISIONS) *without limitation, (THE FOLLOWING) provisions to effectuate and comply with the following powers and requirements:*

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(1a) A public hearing shall be held prior to the final determination with regard to a proposed matter.

(2) The council shall be empowered to suspend action on a proposed matter *during the period of review and for a period not to exceed 12 months following the issuance of its (RECOMMENDATION OR) final determination. In its final determination, the council may prescribe appropriate conditions with regard to a proposed matter which, if incorporated or complied with, would cause the council to remove the suspension.*

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of (AN ADEQUATELY SUPPORTED AND DOCUMENTED) *a proposal accompanied by adequate supporting information. To avoid duplication, the review may be suspended for not more than 90 days to await completion of review of a matter by another public agency.*

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area *18 years of age or older.*

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the (COMPREHENSIVE) *airport portion of the metropolitan development guide (AND, IF APPROPRIATE, AN APPLICABLE POLICY PLAN), and the policy plans, development programs, and capital budgets for metropolitan waste control, transportation, and regional recreation open space, and as to adverse effects on other local governmental units.*

((7) ANY MAJOR ALTERATION OR AMENDMENT TO THE REGULATIONS ADOPTED BY THE COUNCIL SHALL

BE DEVELOPED AND PROMULGATED BY THE COUNCIL
IN THE SAME MANNER AS THE ORIGINAL REGULA-
TIONS.)

((8)) (7) Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in section 17.

(8) *The regulations shall not incorporate recommendations made by the council pursuant to Minnesota Statutes, Chapter 116G.*

(9) *By November 1, 1976 the council shall reconsider each adopted comprehensive plan submitted to it prior to January 1, 1976 pursuant to Laws 1975, Chapter 13, Section 19, and shall either accept or reject each plan in whole or in part for the purposes of the review required or authorized by this section and the council's regulations promulgated pursuant thereto. Any such plan, or parts thereof, not rejected by the council by November 1, 1976 shall be deemed accepted by the council for the purposes of that review. For these purposes also, the council thereafter at its discretion may accept in whole or in part any adopted comprehensive plan submitted to it by a local governmental unit. Any adopted comprehensive plan of a city, county or town approved by the council, pursuant to a law requiring such plans or parts thereof to be prepared and submitted to the council for approval, shall be deemed accepted by the council for the purposes of the review required or authorized by this section and the council's regulations promulgated pursuant thereto.*

If a plan is rejected by the council, within 90 days the council shall provide comments to the local unit of government indicating the council's specific objections to the plan. The local unit of government may submit an amended plan within 90 days of the receipt of the council's comments, for review. The council shall then review the amended plan within 90 days and either accept or reject the plan.

Subd. 5. *The regulations and any major alteration or amendment thereto shall be developed and promulgated by the council in accordance with the provisions of this section and, to the extent not inconsistent or at variance with this section, in accordance with the administrative procedures act, Minnesota Statutes, Chapter 15, and regulations pursuant thereto. Once the development of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing(, CONTAINING THE DEVELOPED REGULATIONS AND SUCH OTHER COMMENTS AS ARE DEEMED APPRO-*

PRIATE,) shall be published in (A NEWSPAPER OR) appropriate newspapers (CIRCULATED THROUGHOUT) of general circulation in the metropolitan area and mailed to all persons who have registered for that purpose under Minnesota Statutes, Chapter 15, appropriate state and regional agencies and all (LOCAL GOVERNMENTAL UNITS WHICH MAY BE AFFECTED BY THESE REGULATIONS) cities, counties, towns, school districts, and watershed districts within the metropolitan area no later than 30 days prior to the hearing. In adopting or amending the regulations the enactment of this section shall be deemed to establish or show the need for and to provide evidence in support of the regulations or amendments as required in Minnesota Statutes, Chapter 15, and regulations pursuant thereto, but the council shall prepare for distribution a written summary describing the basis for the composition of the draft regulations or amendments submitted for hearing and shall afford to all interested persons an opportunity at the hearing to question and make suggestions concerning their composition. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

Subd. 6. The council and the advisory committee shall review and assess the regulations throughout the first year following their effective date and thereafter at least every two years. At least one public hearing shall be part of the review and assessment, in order to afford interested persons an opportunity to testify on the regulations and their effects and to propose amendments to the regulations. On or before January 15 of 1977 and of each odd-numbered year thereafter, the council shall report to the legislature concerning metropolitan significance, the effects of the regulations, proposed and recommended amendments to the regulations, testimony at public hearings, and other information and comments elicited during the review and assessment. The report shall also account for any amendments to the regulations that the council has adopted or proposes to adopt. The council may at its discretion make reports to the legislature on metropolitan significance other than those required by this section, but any such report shall be submitted to the legislature between January 1 and January 15. No major alteration or amendments to standards for determining the necessity for a comprehensive review shall be put into effect by the council until 90 days have elapsed following the report to the legislature in which the alteration or amendment was proposed and recommended by the council.

Sec. 2. This act applies to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Sec. 3. This act is effective the day following final enactment."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to metropolitan government; providing for metropolitan council review of matters of metropolitan significance; amending Laws 1975, Chapter 13, Section 18."

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1870, 1904 and 1881 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Reding and Stanton introduced:

H. F. No. 2190, A bill for an act relating to agriculture; removing the exemption from corporate farming restrictions for certain agricultural land used for asparagus growing operations; amending Minnesota Statutes, 1975 Supplement, Section 500.24, Subdivision 2.

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

Doty, Sarna, Zubay, Vento and Enebo introduced:

H. F. No. 2191, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Evans, McCauley, Nelsen, Esau and Pleasant introduced:

H. F. No. 2192, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

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

Prahl; Patton; Smith; Carlson, R.; and Johnson, D., introduced:

H. F. No. 2193, A bill for an act relating to advertising devices and other signs along the trunk highway system; authorizing certain signs within areas adjacent to trunk highways; amending Minnesota Statutes 1974, Section 173.08, Subdivision 1.

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

Evans, Clawson, Faricy, Erickson and Forsythe introduced:

H. F. No. 2194, A bill for an act relating to crimes; defining conditions in which reparations are available to crime victims; appropriating money; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Peterson, Friedrich, Eken, Albrecht and Mann introduced:

H. F. No. 2195, A bill for an act relating to education; environmental curriculum; providing for the inclusion of food production studies as part of environmental education; amending Minnesota Statutes 1974, Section 126.111.

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

Skoglund, Evans, Brinkman, Wenzel and Norton introduced:

H. F. No. 2196, A bill for an act relating to credit unions; deposits of public funds; amending Minnesota Statutes, 1975 Supplement, Section 52.04.

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

Lindstrom, Brinkman, Sieloff, Kelly, R., and Norton introduced:

H. F. No. 2197, A bill for an act relating to insurance; providing for certain mandatory deductible offerings; amending Minnesota Statutes 1974, Section 65B.49, Subdivision 5.

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

Vento; Luther; Kelly, W.; Knoll and Wieser introduced:

H. F. No. 2198, A bill for an act relating to insurance; making more certain which group insurance policies and subscriber contracts are required to provide insurance coverage to employees after termination of employment; extending the period for certain notices to terminated employees; requiring certain group insurance policies to provide for optional conversion to an individual policy after group coverage terminates; amending Minnesota Statutes 1974, Sections 62A.16; and 62A.17, Subdivisions 2 and 5, and by adding a subdivision.

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

Kvam, Eckstein, Friedrich, Albrecht and Evans introduced:

H. F. No. 2199, bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing that the legislature meet in regular session only in odd numbered years.

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

Doty introduced:

H. F. No. 2200, A bill for an act relating to elections; providing for nonpartisan municipal elections in Duluth; amending Minnesota Statutes 1974, Section 205.17.

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

Vento, Savelkoul, Sabo, Anderson, I., and Searle introduced:

H. F. No. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

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

Setzepfandt, Erickson, Eckstein and Kalis introduced:

H. F. No. 2202, A bill for an act relating to unemployment compensation; extending to ten weeks the disqualification period for persons voluntarily terminating employment without good cause; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

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

Petraleso, Swanson, Dahl, Carlson, L., and Volk introduced:

H. F. No. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

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

Lindstrom, Arlandson, Dean and Philbrook introduced:

H. F. No. 2204, A bill for an act relating to collection and dissemination of data; providing definitions; requiring a public document on data collection; authorizing audits of data collection practices and policies; providing for emergency classification in certain situations; amending Minnesota Statutes 1974, Chapter 15, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5, 5a and 8; 15.163, Subdivisions 1 and 2, and by adding a subdivision.

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

Arlandson; Suss; George; Adams, L.; and Knoll introduced:

H. F. No. 2205, A bill for an act relating to courts; increasing the jurisdictional limits in conciliation courts of Hennepin county and Ramsey county; requiring personal service of summons; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; 488A.14, Subdivision 4; 488A.29, Subdivision 3; and 488A.31, Subdivision 4.

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

Dieterich, Sieloff, Parish, Norton and Ketola introduced:

H. F. No. 2206, A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

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

Ulland, Jaros and Munger introduced:

H. F. No. 2207, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

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

Sherwood, Graba, St. Onge, Wenzel and Nelsen introduced:

H. F. No. 2208, A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

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

Lemke, Osthoff, Metzen, Fudro and Kalis introduced:

H. F. No. 2209, A bill for an act relating to local improvements; council procedure; percentage payment on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

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

Dieterich, Kahn, Berglin, Berg and Jaros introduced:

H. F. No. 2210, A bill for an act relating to taxation; imposing a property tax on residential leasehold interests; amending Minnesota Statutes 1974, Sections 273.13, by adding a subdivision; 278.01; Chapter 276, by adding a section; and Minnesota Statutes, 1975 Supplement, Sections 274.01; 290A.03, Subdivisions 8 and 13; 290A.04, Subdivision 1; 290A.05; 290A.07, Subdivision 2; 290A.09; 290A.10; and 290A.19.

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

Albrecht, Birnstihl, Evans, Biersdorf and Peterson introduced:

H. F. No. 2211, A bill for an act relating to taxation; compensation for collection of sales taxes; amending Minnesota Statutes 1974, Section 297A.26, by adding a subdivision.

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

Vento; Kelly, R.; Hanson; Osthoff and Kempe, A., introduced:

H. F. No. 2212, A bill for an act relating to the city of St. Paul; providing for temporary use of a plan of assessment which will delay increases in assessed valuation in the city of St. Paul for certain buildings.

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

Sieben, H., introduced:

H. F. No. 2213, A bill for an act relating to pollution; imposing fees for the deposit of certain materials in Lake Superior; providing penalties; appropriating money.

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

Reding, Voss, Lemke, Sherwood and Wenstrom introduced:

H. F. No. 2214, A bill for an act relating to motor vehicle registration; providing for waiver of penalty for cars in storage; amending Minnesota Statutes 1974, Section 168.31, Subdivision 3.

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

Mann, Haugerud, Eckstein, Corbid and Biersdorf introduced:

H. F. No. 2215, A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangers.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Dieterich reported on the progress of H. F. No. 1519, now in Conference Committee.

POINT OF ORDER

Voss raised a point of order pursuant to Rule 5.7 that H. F. No. 995, now on Technical General Orders, be re-referred to the Committee on Appropriations.

The Speaker submitted the following question to the House:

"Is it the judgment of the House that the point of order is well taken?"

A roll call was requested and properly seconded.

The roll being called, there were yeas 62, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Kaley	Neisen	Setzepfandt
Albrecht	Evans	Kalis	Nelsen	Smith
Anderson, G.	Forsythe	Knickerbocker	Niehaus	Smogard
Begich	Friedrich	Kvam	Osthoff	Spanish
Biersdorf	Fudro	Langseth	Peterson	Swanson
Birnstihl	Fugina	Lemke	Pleasant	Voss
Brinkman	Graba	Lindstrom	Samuelson	Wenzel
Dean	Haugerud	Mann	Sarna	Wieser
DeGroat	Heinitz	McCarron	Savelkoul	Wigley
Eckstein	Jacobs	McCauley	Schreiber	Zubay
Eken	Jensen	McCollar	Schulz	
Enebo	Johnson, C.	McEachern	Schumacher	
Erickson	Jopp	Menning	Searle	

Those who voted in the negative were:

Abeln	Clawson	Kelly, R.	Norton	Simoneau
Adams, L.	Corbid	Kelly, W.	Novak	Skoglund
Anderson, I.	Dieterich	Kempe, A.	Parish	Stanton
Arlandson	Doty	Ketola	Patton	Suss
Beauchamp	Ewald	Knoll	Pehler	Tomlinson
Berg	Faricy	Kostohryz	Petrafeso	Ulland
Berglin	Fjoslien	Kroening	Philbrook	Vanasek
Braun	George	Laidig	Prahl	Vento
Byrne	Hanson	Luther	Reding	Volk
Carlson, A.	Hokanson	Mangan	Rice	Wenstrom
Carlson, L.	Jaros	Metzen	Sherwood	White
Carlson, R.	Johnson, D.	Moe	Sieben, H.	
Casserly	Jude	Munger	Sieben, M.	
Clark	Kahn	Nelson	Sieloff	

So it was the judgment of the House that the point of order was not well taken.

CALENDAR

H. F. No. 1284, A bill for an act relating to aeronautics; providing for airport zoning regulation by municipalities and joint airport zoning boards; amending Minnesota Statutes 1974, Sections 360.063, Subdivisions 1, 3, and 5, and by adding a subdivi-

sion; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Kaley	Munger	Sieben, H.
Adams, L.	Doty	Kalis	Neisen	Sieben, M.
Adams, S.	Eckstein	Kelly, R.	Neisen	Simoneau
Albrecht	Eken	Kelly, W.	Nelson	Skoglund
Anderson, G.	Enebo	Kempe, A.	Niehaus	Smith
Anderson, I.	Erickson	Kempe, R.	Norton	Smogard
Arlandson	Esau	Ketola	Novak	Spanish
Beauchamp	Ewald	Knickerbocker	Osthoff	Stanton
Begich	Fjoslien	Knoll	Parish	Suss
Berg	Forsythe	Kostohryz	Patton	Swanson
Berglin	Friedrich	Kroening	Pehler	Tomlinson
Biersdorf	Fudro	Kvam	Petrafeso	Ulland
Birnstihl	Fugina	Laidig	Philbrook	Vanasek
Braun	George	Langseth	Pleasant	Vento
Brinkman	Graba	Lemke	Reding	Volk
Byrne	Hanson	Lindstrom	Rice	Voss
Carlson, A.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, L.	Heinitz	Mangan	Samuelson	Wenzel
Carlson, R.	Jacobs	Mann	Sarna	White
Casserty	Jaros	McCarron	Savelkoul	Wieser
Clark	Jensen	McCauley	Schreiber	Wigley
Clawson	Johnson, C.	McCollar	Schulz	Zubay
Corbid	Johnson, D.	McEachern	Schumacher	Speaker Sabo
Dahl	Jopp	Menning	Searle	
Dean	Jude	Metzen	Setzepfandt	
DeGroat	Kahn	Moe	Sherwood	

Those who voted in the negative were:

Faricy Prahl Sieloff

The bill was passed and its title agreed to.

H. F. No. 568, A bill for an act relating to public utilities; restricting construction of electric transmission lines to certain areas; amending Minnesota Statutes 1974, Section 116C.57, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called; there were yeas 86, and nays 41, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jensen	Mann	Sieben, M.
Adams, L.	Dieterich	Johnson, C.	McCauley	Sieloff
Adams, S.	Eckstein	Jopp	Menning	Skoglund
Albrecht	Eken	Jude	Munger	Smogard
Anderson, G.	Erickson	Kahn	Nelsen	Stanton
Arlandson	Esau	Kaley	Nelson	Tomlinson
Beauchamp	Evans	Kalis	Niehaus	Ulland
Braun	Ewald	Kelly, W.	Novak	Vanasek
Brinkman	Faricy	Kempe, A.	Parish	Wenstrom
Byrne	Fjoslien	Kempe, R.	Philbrook	Wenzel
Carlson, A.	Friedrich	Ketola	Pleasant	White
Carlson, L.	Fudro	Kroening	Prahl	Wieser
Carlson, R.	Graba	Kvam	Reding	Wigley
Casserly	Hanson	Laidig	Saveikoul	Zubay
Clark	Haugerud	Langseth	Schreiber	
Clawson	Heinitz	Lemke	Schumacher	
Corbid	Hokanson	Luther	Setzepfandt	
Dean	Jaros	Mangan	Sherwood	

Those who voted in the negative were:

Anderson, I.	Fugina	McEachern	Samuelson	Swanson
Begich	George	Metzen	Sarna	Vento
Berg	Jacobs	Neisen	Schulz	Volk
Berglin	Johnson, D.	Norton	Searle	Voss
Birnstihl	Knickerbocker	Osthoff	Sieben, H.	Speaker Sabo
Dahl	Kostohryz	Patton	Simoneau	
Doty	Lindstrom	Pehler	Smith	
Enebo	McCarron	Petrafeso	Spanish	
Forsythe	McCollar	Rice	Suss	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33 offered by McCollar:

Page 2, line 3, delete "1977" and insert "1980".

Page 2, line 13, delete "1977" and insert "1980".

Page 3, line 5, delete "1977" and insert "1980".

The roll being called, there were yeas 85, and nays 47, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berg	Byrne	Carlson, R.
Adams, L.	Arlandson	Berglin	Carlson, A.	Casserly
Anderson, G.	Beauchamp	Braun	Carlson, L.	Clark

Clawson	Hokanson	Laidig	Niehaus	Schumacher
Dahl	Jaros	Lindstrom	Norton	Sherwood
Dean	Jensen	Luther	Novak	Simoneau
Dieterich	Johnson, D.	Mangan	Osthoff	Skoglund
Doty	Jopp	Mann	Parish	Smith
Erickson	Jude	McCarron	Pehler	Smogard
Esau	Kahn	McCollar	Peterson	Stanton
Ewald	Kelly, W.	McEachern	Petraseso	Swanson
Faricy	Kempe, R.	Menning	Philbrook	Vanasek
Forsythe	Ketola	Moe	Pleasant	Volk
Fudro	Knickerbocker	Munger	St. Onge	Wenstrom
Graba	Knoll	Neisen	Sarna	Wenzel
Hanson	Kostohryz	Nelsen	Savelkoul	White
Heinitz	Kvam	Nelson	Schreiber	Wieser

Those who voted in the negative were:

Adams, S.	Enebo	Kelly, R.	Rice	Tomlinson
Albrecht	Evans	Kempe, A.	Samuelson	Ulland
Begich	Fjoslien	Kroening	Schulz	Vento
Biersdorf	Friedrich	Langseth	Searle	Voss
Birnstihl	Fugina	Lemke	Setzepfandt	Wigley
Brinkman	Haugerud	McCauley	Sieben, H.	Zubay
Corbid	Jacobs	Metzen	Sieben, M.	Speaker Sabo
DeGroat	Johnson, C.	Patton	Sieloff	
Eckstein	Kaley	Prahl	Spanish	
Eken	Kalis	Reding	Suss	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Nelson:

Page 2, line 1, after the period insert:

"Subd. 6. "Handling charge" means the cost of sorting empty containers and shall not exceed one cent per container."

Page 2, line 5, delete the colon and insert "five cents nor more than fifteen cents."

Page 2, delete lines 6 to 11.

Page 2, line 22, after "subdivision 1" insert "plus a handling charge".

The roll being called, there were yeas 70, and nays 57, as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Dahl	Hanson	Kahn
Adams, L.	Braun	Dean	Heinitz	Kaley
Anderson, G.	Byrne	Dieterich	Hokanson	Kalis
Anderson, I.	Carlson, A.	Ewald	Jacobs	Kempe, R.
Arlandson	Carlson, L.	Faricy	Jaros	Laidig
Beauchamp	Casserly	Fjoslien	Johnson, D.	Luther
Berg	Clark	Graba	Jude	Mangan

Mann	Norton	Samuelson	Sherwood	Ulland
McCollar	Novak	Sarna	Skoglund	Vanasek
McEachern	Parish	Savelkoul	Smith	Volk
Menning	Peterson	Schreiber	Smogard	Voss
Moe	Petrafeso	Schulz	Stanton	Wenstrom
Munger	Philbrook	Schumacher	Swanson	White
Nelson	St. Onge	Setzepfandt	Tomlinson	Wieser

Those who voted in the negative were:

Adams, S.	Eken	Kelly, R.	Neisen	Sieloff
Albrecht	Enebo	Kelly, W.	Nelsen	Simoneau
Begich	Erickson	Ketola	Niehaus	Spanish
Biersdorf	Evans	Kostohryz	Patton	Suss
Birnstihl	Forsythe	Kroening	Pehler	Vento
Brinkman	Friedrich	Kvam	Pleasant	Wenzel
Carlson, R.	Fudro	Langseth	Prahl	Wigley
Clawson	Fugina	Lemke	Reding	Zubay
Corbid	George	Lindstrom	Rice	Speaker Sabo
DeGroat	Haugerud	McCarron	Searle	
Doty	Jensen	McCauley	Sieben, H.	
Eckstein	Johnson, C.	Metzen	Sieben, M.	

The motion prevailed and the amendment was adopted.

Faricy offered the following amendment to H. F. No. 33, as amended.

Page 3, after line 12 insert a new section to read:

Sec. 6. Subdivision 1. There is hereby created a commission to be known as the emergency beverage container employee displacement commission. The commission shall consist of nine members appointed by the governor. Three members shall be representatives of employees in the beverage container industry. Three members shall be representatives of employers in the beverage container industry. Three members, one of whom the governor shall designate as chairman, shall be representatives of the public.

Subd. 2. The commission shall initiate, and sponsor programs to reduce hardship caused to employees because of reductions in employment in the beverage container industry. Among matters for consideration by the commission are the loss of pension benefits, the loss of health and welfare plan coverage, the need for retraining in new skills, the need for relocation near new employment, and the need for temporary subsistence payments to supplement or extend unemployment compensation.

Subd. 3. The commission is authorized to begin its functions upon the day following final enactment of this act regardless of the effective date for the container refund provisions and accompanying provisions of this act. The commission shall continue in existence until two years after the effective date of the container refund provisions of this act. Meetings of the commis-

sion shall be called by the chairman upon his own motion or upon the written request of any five members of the commission. Commission action shall be by majority vote of all members. The commission may hire staff necessary to aid it in the performance of its functions.

Subd. 4. The commission shall prepare a budget for presentation to the 1977 Legislative session. The sum of \$50,000 is hereby appropriated which is available at the time of enactment.

Renumber the following section.

Further amend the title, as follows:

Page 1, line 4, in the title after "penalties" insert "; creating a commission to study employment in the beverage container industry; appropriating money".

Pursuant to Rule 1.6, a roll call was taken on the following amendment to the Faricy amendment offered by Swanson:

Strike "\$50,000" and insert "\$250,000".

The roll being called, there were yeas 18, and nays 113, as follows:

Those who voted in the affirmative were:

Begich	Fudro	Kroening	Rice	Swanson
Biersdorf	Fugina	Osthoff	Samuelson	Vento
Birnstihl	Ketola	Prahl	Sarna	
Enebo	Kostohryz	Reding	Suss	

Those who voted in the negative were:

Abeln	Dean	Jaros	Mann	Savelkoul
Adams, L.	DeGroat	Jensen	McCarron	Schreiber
Adams, S.	Dieterich	Johnson, C.	McCauley	Schulz
Albrecht	Doty	Johnson, D.	McCollar	Schumacher
Anderson, G.	Eckstein	Jopp	Menning	Searle
Anderson, I.	Eken	Jude	Metzen	Setzepfandt
Arlandson	Erickson	Kahn	Moe	Sherwood
Beauchamp	Esau	Kaley	Munger	Sieben, H.
Berg	Evans	Kalis	Neisen	Sieben, M.
Berglin	Ewald	Kelly, R.	Nelsen	Sieloff
Braun	Faricy	Kelly, W.	Nelson	Simoneau
Brinkman	Fjoslien	Kempe, A.	Niehaus	Skoglund
Byrne	Forsythe	Knickerbocker	Norton	Smith
Carlson, A.	Friedrich	Knoll	Novak	Smogard
Carlson, L.	George	Kvam	Parish	Spanish
Carlson, R.	Graba	Laidig	Patton	Stanton
Cassery	Hanson	Langseth	Pehler	Tomlinson
Clark	Haugerud	Lemke	Peterson	Ulland
Clawson	Heinitz	Lindstrom	Petrafeso	Vanasek
Corbid	Hokanson	Luther	Philbrook	Volk
Dahl	Jacobs	Mangan	Pleasant	Voss

Wenstrom
WenzelWhite
WieserWigley
Williamson

Zubay

Speaker Sabo

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

The question recurred on the Faricy amendment and pursuant to Rule 1.6, a roll call was taken.

The roll being called, there were yeas 78, and nays 53, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Kempe, A.	Novak	Simoneau
Adams, L.	Dieterich	Kempe, R.	Parish	Skoglund
Anderson, I.	Doty	Knickerbocker	Patton	Smith
Arlandson	Faricy	Knoll	Pehler	Smogard
Beauchamp	Fjoslien	Kostohryz	Peterson	Stanton
Berg	Forsythe	Laidig	Petrafeso	Tomlinson
Berglin	George	Luther	Philbrook	Ulland
Byrne	Graba	Mangan	Pleasant	Vanasek
Carlson, L.	Hanson	Mann	Prahl	Vento
Carlson, R.	Jacobs	Menning	Samuelson	Volk
Casserly	Jaros	Moe	Savelkoul	Voss
Clark	Johnson, D.	Munger	Schreiber	Wenstrom
Clawson	Jude	Neisen	Schumacher	Williamson
Corbid	Kahn	Nelsen	Setzepfandt	Speaker Sabo
Dahl	Kelly, R.	Nelson	Sherwood	
Dean	Kelly, W.	Norton	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Erickson	Johnson, C.	McCauley	Sieben, M.
Albrecht	Esau	Jopp	McCollar	Sieloff
Anderson, G.	Evans	Kaley	Metzen	Spanish
Begich	Ewald	Kalis	Niehaus	Swanson
Biersdorf	Friedrich	Ketola	Osthoff	Wenzel
Birnstihl	Fudro	Kroening	Reding	White
Braun	Fugina	Kvam	Rice	Wieser
Brinkman	Haugerud	Langseth	St. Onge	Wigley
Carlson, A.	Heinitz	Lemke	Sarna	Zubay
Eckstein	Hokanson	Lindstrom	Schulz	
Enebo	Jensen	McCarron	Searle	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Samuelson:

Page 1, line 11, after "beer," insert "whiskey, wine,".

Page 1, line 12, after "malt" insert "or liquor".

The roll being called, there were yeas 40, and nays 87, as follows:

Those who voted in the affirmative were:

Adams, S.	Friedrich	Kalis	Osthoff	Stanton
Begich	Fudro	Kostohryz	Patton	Suss
Birnstihl	George	Kroening	Prahl	Swanson
Clawson	Hokanson	McCarron	Reding	Vento
DeGroat	Jensen	McCollar	St. Onge	Wenzel
Enebo	Johnson, D.	McEachern	Samuelson	Wigley
Erickson	Jopp	Munger	Searle	Zubay
Evans	Kaley	Niehaus	Simoneau	Speaker Sabo

Those who voted in the negative were:

Abeln	Corbid	Jaros	Metzen	Sieben, H.
Adams, L.	Dahl	Johnson, C.	Moe	Sieben, M.
Albrecht	Dean	Jude	Neisen	Sieloff
Anderson, G.	Dieterich	Kahn	Nelsen	Skoglund
Anderson, I.	Doty	Kelly, R.	Nelson	Smogard
Arlandson	Eckstein	Kelly, W.	Norton	Spanish
Beauchamp	Eken	Ketola	Novak	Tomlinson
Berg	Esau	Knickerbocker	Parish	Ulland
Berglin	Ewald	Knoll	Pehler	Vanasek
Biersdorf	Faricy	Kvam	Petrafeso	Volk
Braun	Fjoslien	Laidig	Philbrook	Voss
Brinkman	Forsythe	Langseth	Pleasant	Wenstrom
Byrne	Fugina	Lemke	Rice	White
Carlson, A.	Graba	Luther	Sarna	Wieser
Carlson, L.	Hanson	Mangan	Savelkoul	Williamson
Carlson, R.	Haugerud	Mann	Schumacher	
Casserly	Heinitz	McCauley	Setzepfandt	
Clark	Jacobs	Menning	Sherwood	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 33, as amended, offered by Vento:

Page 2, line 2, strike all of subdivision 1.

Renumber the following subdivisions accordingly.

The roll being called, there were yeas 61, and nays 71, as follows:

Those who voted in the affirmative were:

Adams, S.	Forsythe	Kroening	Patton	Suss
Albrecht	Friedrich	Kvam	Pleasant	Swanson
Begich	Fudro	Lemke	Prahl	Tomlinson
Biersdorf	Fugina	Mann	Reding	Vento
Birnstihl	Hokanson	McCarron	Rice	Wenzel
Brinkman	Jensen	McCauley	St. Onge	White
Carlson, R.	Johnson, C.	McCollar	Samuelson	Wigley
Eckstein	Kaley	McEachern	Sarna	Zubay
Eken	Kelly, R.	Menning	Searle	Speaker Sabo
Enebo	Kempe, A.	Metzen	Sieben, H.	
Erickson	Kempe, R.	Neisen	Sieloff	
Esau	Ketola	Niehaus	Simoneau	
Evans	Kostohryz	Osthoff	Spanish	

Those who voted in the negative were:

Abeln	Corbid	Jaros	Nelsen	Skoglund
Adams, L.	Dahl	Johnson, D.	Nelson	Smith
Anderson, G.	Dean	Jopp	Norton	Smogard
Anderson, I.	DeGroat	Jude	Novak	Stanton
Arlandson	Dieterich	Kahn	Parish	Ulland
Beauchamp	Doty	Kalis	Pehler	Vanasek
Berg	Ewald	Kelly, W.	Peterson	Volk
Berglin	Faricy	Knickerbocker	Petraleso	Voss
Braun	Fjoslien	Laidig	Philbrook	Wenstrom
Byrne	George	Langseth	Savelkoul	Wieser
Carlson, A.	Graba	Lindstrom	Schreiber	Williamson
Carlson, L.	Hanson	Luther	Schumacher	
Casserly	Haugerud	Mangan	Setzepfandt	
Clark	Heinitz	Moe	Sherwood	
Clawson	Jacobs	Munger	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Nelson to recommend passage of H. F. No. 33, as amended.

The roll being called, there were yeas 65, and nays 69, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jacobs	Mangan	Schumacher
Adams, L.	Dahl	Jaros	McCollar	Setzepfandt
Anderson, G.	Dean	Johnson, D.	Moe	Sherwood
Anderson, I.	Dieterich	Jopp	Munger	Skoglund
Arlandson	Doty	Jude	Nelson	Smith
Beauchamp	Erickson	Kahn	Norton	Smogard
Berg	Esau	Kempe, R.	Novak	Stanton
Berglin	Ewald	Knickerbocker	Parish	Ulland
Braun	Faricy	Knoll	Pehler	Vanasek
Carlson, A.	Fjoslien	Laidig	Petraleso	Volk
Carlson, L.	Graba	Langseth	Philbrook	Voss
Casserly	Hanson	Lindstrom	Schreiber	Wenstrom
Clark	Heinitz	Luther	Schulz	Williamson

Those who voted in the negative were:

Adams, S.	Forsythe	Ketola	Osthoff	Sieloff
Albrecht	Friedrich	Kostohryz	Patton	Simoneau
Begich	Fudro	Kroening	Peterson	Spanish
Biersdorf	Fugina	Kvam	Pleasant	Suss
Birnstihl	George	Lemke	Prahl	Swanson
Brinkman	Haugerud	Mann	Reding	Tomlinson
Byrne	Hokanson	McCarron	Rice	Vento
Carlson, R.	Jensen	McCauley	St. Onge	Wenzel
Clawson	Johnson, C.	McEachern	Samuelson	White
DeGroat	Kaley	Menning	Sarna	Wieser
Eckstein	Kalis	Metzen	Savelkoul	Wigley
Eken	Kelly, R.	Neisen	Searle	Zubay
Enebo	Kelly, W.	Nelsen	Sieben, H.	Speaker Sabo
Evans	Kempe, A.	Niehaus	Sieben, M.	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Sieben, H., to recommend re-referral of H. F. No. 33, as amended, to the Committee on Labor-Management Relations.

The roll being called, there were yeas 62, and nays 67, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kempe, A.	Niehaus	Sieloff
Albrecht	Erickson	Ketola	Osthoff	Simoneau
Begich	Fudro	Knoll	Parish	Spanish
Biersdorf	Fugina	Kroening	Pehler	Suss
Birnstihl	George	Kvam	Pleasant	Swanson
Brinkman	Hanson	Lemke	Prahl	Vento
Byrne	Hokanson	Mangan	Reding	Wenzel
Carlson, R.	Jensen	Mann	Rice	White
Clawson	Johnson, C.	McEachern	St. Onge	Wieser
DeGroat	Johnson, D.	Metzen	Samuelson	Speaker Sabo
Doty	Kalis	Munger	Sarna	
Eckstein	Kelly, R.	Neisen	Setzepfandt	
Eken	Kelly, W.	Nelson	Sieben, H.	

Those who voted in the negative were:

Adams, L.	Dean	Jude	Nelsen	Smogard
Adams, S.	Dieterich	Kahn	Norton	Stanton
Anderson, G.	Esau	Kaley	Novak	Tomlinson
Anderson, I.	Evans	Kempe, R.	Peterson	Ulland
Arlandson	Ewald	Knickerbocker	Petraleso	Vanasek
Beauchamp	Faricy	Kostohryz	Philbrook	Volk
Berg	Fjoslien	Laidig	Savelkoul	Voss
Berglin	Forsythe	Langseth	Schreiber	Wenstrom
Braun	Friedrich	Lindstrom	Schulz	Wigley
Carlson, A.	Graba	Luther	Schumacher	Williamson
Carlson, L.	Heinitz	McCarron	Searle	Zubay
Casserly	Jacobs	McCauley	Sherwood	
Clark	Jaros	McCollar	Skoglund	
Corbid	Jopp	Menning	Smith	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 33 upon which it recommended progress, as amended by the Committee of the Whole on Monday, February 2, 1976, retaining its place on General Orders and with the following amendments:

Offered by McCollar:

Page 2, line 3, delete "1977" and insert "1980".

Page 2, line 13, delete "1977" and insert "1980".

Page 3, line 5, delete "1977" and insert "1980".

Offered by Nelson:

Page 2, line 1, after the period insert:

"Subd. 6. "Handling charge" means the cost of sorting empty containers and shall not exceed one cent per container."

Page 2, line 5, delete the colon and insert "five cents nor more than fifteen cents."

Page 2, delete lines 6 to 11.

Page 2, line 22, after "subdivision 1" insert "plus a handling charge".

Offered by Nelson:

Page 2, after line 28 insert:

"Subd. 4. [COLLECTION.] The distributor, bottler or designee shall collect empty beverage containers from the dealer at least once every 30 days."

Offered by Faricy:

Page 3, after line 12 insert a new section to read:

"Sec. 6. Subdivision 1. There is hereby created a commission to be known as the emergency beverage container employee displacement commission. The commission shall consist of nine members appointed by the governor. Three members shall be representatives of employees in the beverage container industry. Three members shall be representatives of employers in the beverage container industry. Three members, one of whom the governor shall designate as chairman, shall be representatives of the public.

Subd. 2. The commission shall initiate, and sponsor programs to reduce hardship caused to employees because of reductions in employment in the beverage container industry. Among matters for consideration by the commission are the loss of pension benefits, the loss of health and welfare plan coverage, the need for retraining in new skills, the need for relocation near new employment, and the need for temporary subsistence payments to supplement or extend unemployment compensation.

Subd. 3. The commission is authorized to begin its functions upon the day following final enactment of this act regardless of the effective date for the container refund provisions and accompanying provisions of this act. The commission shall continue in existence until two years after the effective date of the con-

tainer refund provisions of this act. Meetings of the commission shall be called by the chairman upon his own motion or upon the written request of any five members of the commission. Commission action shall be by majority vote of all members. The commission may hire staff necessary to aid it in the performance of its functions.

Subd. 4. The commission shall prepare a budget for presentation to the 1977 Legislative session. The sum of \$50,000 is hereby appropriated which is available at the time of enactment.

Renumber the following section.

Further amend the title as follows:

Page 1, line 4, in the title after "penalties" insert "; creating a commission to study employment in the beverage container industry; appropriating money".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 11, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives