

ONE HUNDREDTH DAY

St. Paul, Minnesota, Monday, March 29, 1976

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Frederick	Kleinbaum	O'Neill	Solon
Blatz	Gearty	Kowalczyk	Patton	Stassen
Borden	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Hanson, R.	Merriam	Perpich, G.	Tennessee
Brown	Hughes	Milton	Pillsbury	Willet
Coleman	Humphrey	Moe	Purfeerst	
Davies	Josefson	Ogdahl	Renneke	
Doty	Keefe, S.	Olson, A. G.	Schmitz	
Dunn	Kirchner	Olson, J. L.	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Terrance W. Berntson.

The roll being called, the following Senators answered to their names:

Anderson	Conzemius	Keefe, S.	North	Schaaf
Arnold	Davies	Kirchner	Ogdahl	Schmitz
Ashbach	Doty	Kleinbaum	Olhoft	Schrom
Bang	Dunn	Knutson	Olson, A. G.	Sillers
Berg	Frederick	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Gearty	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Borden	Hansen, Mel	Lewis	Patton	Stumpf
Brataas	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Brown	Hughes	Merriam	Perpich, G.	Ueland
Chenoweth	Humphrey	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Coleman	Keefe, J.	Nelson	Renneke	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Fitzsimons was excused from the Session of today. Mr. Berg was excused from the early part of today's Session. Mr. Jensen

was excused from the Session of today until 1:00 o'clock p.m. Mr. Spear was excused from the Session of today until 1:15 o'clock p.m. Mr. Lewis was excused from the Session of today from 1:25 o'clock p.m. until 3:05 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 25, 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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
	1099	67	March 24	March 24
	1932	68	March 24	March 24
	1959	69	March 24	March 24
	1960	70	March 24	March 24
	1961	71	March 24	March 24
	2298	72	March 24	March 24
1862		73	March 24	March 24
1967		74	March 24	March 24
2057		75	March 24	March 24

Sincerely,
Joan Anderson Growe, Secretary of State

March 26, 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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
	574	76	March 25	March 25
	2022	77	March 25	March 25
	2009	78	March 25	March 25
345		79	March 25	March 25

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
429		80	March 25	March 25
612		81	March 25	March 25
1120		82	March 25	March 25
1308		83	March 25	March 25
1456		84	March 25	March 25
1576		85	March 25	March 25
1763		86	March 25	March 25
1866		87	March 25	March 25
1996		88	March 25	March 25
2068		89	March 25	March 25
2152		90	March 25	March 25
2355		91	March 25	March 25

Sincerely,

Joan Anderson Growe, Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1120, 2137, 1940 and 2547.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1976

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 2288: A bill for an act relating to Indian affairs; renaming the board on Indian affairs; providing a change in membership for the board; creating an advisory council; changing the duties of the board; appropriating money; amending Minnesota Statutes 1974, Section 3.922, as amended.

There has been appointed as such committee on the part of the House:

St. Onge, Eken and Laidig.

Senate File No. 2288 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1976

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 166:

H. F. No. 166: A bill for an act relating to Ramsey County; authorizing the county to acquire the Brightwood Hills golf course in the city of New Brighton; authorizing the issuance of bonds to finance the purchase.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Novak, Hanson and Philbrook have been appointed as such committee on the part of the House.

House File No. 166 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Ashbach moved that H. F. No. 166 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 471:

H. F. No. 471: A bill for an act relating to condominiums; providing for registration and disclosure prior to sale; providing penalties; amending Minnesota Statutes 1974, Section 83.26, Subdivision 1; and repealing Minnesota Statutes 1974, Chapter 515.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Dieterich, George and Sieloff have been appointed as such committee on the part of the House.

House File No. 471 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Tennesen moved that H. F. No. 471 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1330:

H. F. No. 1330: A bill for an act relating to labor; directing the commissioner of labor and industry to enforce the prohibition against administering polygraph tests to employees; prescribing penalties; amending Minnesota Statutes 1974, Section 181.75; repealing Minnesota Statutes 1974, Section 181.77.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sieben, M.; Pehler and Jaros have been appointed as such committee on the part of the House.

House File No. 1330 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Doty moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1330, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1827:

H. F. No. 1827: A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Samuelson, McEachern and Enebo have been appointed as such committee on the part of the House.

House File No. 1827 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. O'Neill moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1827, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2188:

H. F. No. 2188: A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the

appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Section 168.33, Subdivision 7; and 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Carlson, R.; Vanasek; Sarna; Osthoff and Evans have been appointed as such committee on the part of the House.

House File No. 2188 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Chmielewski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2188, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2204:

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, Section 15.17, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Sections 15.162, Subdivisions 2a, 4, 5a and 8; 15.163, Subdivisions 1 and 2.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Lindstrom, Arlandson and Dean have been appointed as such committee on the part of the House.

House File No. 2204 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Tennessen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2204, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act

with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2560:

H. F. No. 2560: A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, Subdivision 2.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Fjoslien, Fudro and Kalis have been appointed as such committee on the part of the House.

House File No. 2560 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

Mr. Olhoft moved that H. F. No. 2560 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2025: A bill for an act relating to nursing homes; requiring training for certain nursing assistants; providing a penalty.

Senate File No. 2025 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1976

Mrs. Brataas moved that the Senate do not concur in the amendments by the House to S. F. No. 2025 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested:

S. F. No. 486: A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; appropriating money; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6; and Chapter 169, by adding sections.

Senate File No. 486 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1976

Mr. Borden moved that S. F. No. 486 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2241: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

Senate File No. 2241 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1976

Mr. Merriam moved that S. F. No. 2241 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1615: A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

Senate File No. 1615 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1976

Mr. Perpich, A. J. moved that the Senate do not concur in the amendments by the House to S. F. No. 1615 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2159, and repassed said bill in accordance with the report of the committee so adopted.

H. F. No. 2159: A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

House File No. 2159 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2159

A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

March 25, 1976

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 2159 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2159 be amended as follows:

Page 2, after line 21 insert

"Sec. 3. [52.135] [INDIVIDUAL RETIREMENT ACCOUNTS.] *A credit union, upon approval of the commissioner of banks of an application in the prescribed form filed with him together with a filing fee of \$100, may act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended and may act as trustee or custodian within the contemplation of the federal employee retirement income security act of 1974, as amended, to establish*

an individual retirement account. The funds shall be invested only in savings, or time deposits, except that this restriction shall not prevent a credit union from accepting and retaining, as a deposit, property or investments derived from any qualified plan from which the applicant desires to transfer the property.

Funds held in the fiduciary capacity may be commingled for purposes of investment or for other purposes approved by the commissioner of banks, but individual records shall be maintained by the fiduciary for each participant and show in detail all transactions engaged in under authority of this section. In passing upon applications the commissioner shall take into consideration all pertinent facts that relate to a credit union's financial responsibility and may grant or refuse the application accordingly."

Page 2, delete lines 26 to 28

Renumber the sections in order

Further, delete the title and insert

"A bill for an act relating to retirement; amending the Minneapolis municipal employees retirement act as applied to survivors benefits; permitting a credit union to act as trustee or custodian for individual retirement accounts; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Franklin J. Knoll, Wesley J. Skoglund, William D. Dean

Senate Conferees: (Signed) Eugene E. Stokowski, Harmon T. Ogdahl, Edward J. Gearty

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2159 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2159: A bill for an act relating to retirement; amending the Minneapolis municipal employees retirement act as applied to survivors benefits; permitting a credit union to act as trustee or custodian for individual retirement accounts; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olhoft	Sillers
Arnold	Doty	Kleinbaum	Olson, A. G.	Solon
Ashbach	Dunn	Knutson	Olson, H. D.	Stassen
Bang	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Larson	O'Neill	Stumpf
Blatz	Hansen, Baldy	Laufenburger	Patton	Tennessee
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Brown	Hughes	Merriam	Pillsbury	Willet
Chenoweth	Humphrey	Milton	Renneke	
Chmielewski	Josefson	Moe	Schaaf	
Coleman	Keefe, J.	Nelson	Schmitz	
Conzemius	Keefe, S.	Ogdahl	Schrom	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated:

H. F. No. 1120: A bill for an act relating to environment; providing for the assessment of the cost of preparing an environmental impact statement; appropriating money; amending Minnesota Statutes 1974, Chapter 116D, by adding a section.

Referred to the Committee on Rules and Administration.

H. F. No. 2137: A bill for an act relating to courts; providing a judicial advisory service for the county courts; appropriating money; amending Minnesota Statutes 1974, Chapter 487, by adding a section.

Referred to the Committee on Judiciary.

H. F. No. 1940: A bill for an act relating to the legislature; establishing a council on the economic status of women; appropriating money; repealing Minnesota Statutes 1974, Section 363.04, Subdivisions 7 and 8.

Referred to the Committee on Rules and Administration.

H. F. No. 2547: A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council; appropriating money; repealing Minnesota Statutes, 1975 Supplement, Section 86A.10.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 2144 for comparison to

companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2144	1995				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2144 be amended as follows:

Page 1, line 17, delete "replacement" and insert "addition"

Page 1, lines 23 and 24 delete "to agencies and subdivisions of the state"

Page 2, delete lines 27 to 32 and insert:

"Subd. 4. Before disbursement to the commissioner of highways of an appropriation made from the fund the director of the state planning agency shall certify to the commissioner of finance that the project for which the funds are disbursed is consistent with any statewide transportation plan and has been reviewed by the appropriate regional development commission or"

Page 3, delete lines 4 to 7 and insert

"Subd. 5. Before disbursement pursuant to section 3, subdivision 1, clause 2, to the commissioner of highways of an appropriation made from the fund, the director of the state planning agency shall certify to the commissioner of finance:"

Page 3, line 8, delete "grant" and insert "disbursement"

Page 3, line 11, delete the first "the" and insert "an"

Page 3, line 14, delete "grant" and insert "disbursement"

Page 3, delete lines 26 to 32 and insert:

"Subd. 6. Any political subdivision may submit to the state planning agency proposals for constructing or reconstructing key bridges located on any highway, street, or road under its authority. The state planning agency shall assign priorities to and determine the amount of money that may be disbursed for any proposed project according to criteria including:"

Page 4, delete line 4 and insert:

"(3) Cost and availability of alternative facilities;"

Page 4, line 7, delete "other financing capability" and insert "alternative financing for the project"

Page 4, after line 9 insert:

"Procedures for submission and review of proposals and criteria for assigning priorities and determining amounts of disbursements shall be established by rules of the state planning agency."

Page 4, line 14, delete "appropriated" and insert "disbursed"

and delete "and for the" and insert "pursuant to section 3, subdivision 1, clause 2."

Page 4, delete lines 15 to 18

Page 4, line 19, delete everything through the period

Page 4, line 20, delete "appropriated" and insert "disbursed"

Page 4, line 26, delete "or subdivisions"

Page 8, line 9, delete "to the following state agencies"

Page 8, line 10, delete "and subdivisions"

Page 8, line 12, delete "the following purposes of"

Page 8, line 13, after "system" insert "as specified herein"

Page 8, line 14, delete "use" and insert "disbursement to"

Page 8, line 15, delete "by"

Page 8, line 17, delete "trunk" and insert "truck" and delete the comma after "system" and delete "but not limited to"

Page 8, line 19, delete "\$150,000,000" and delete "use" and insert "disbursement to"

Page 8, line 20, delete "by"

Page 8, delete lines 22 to 24 and insert:

"(a) \$80,000,000 for county highway systems;

(b) \$25,000,000 for municipal street systems; and

(c) \$45,000,000 for township road systems."

Page 9, line 4, delete "and" and insert a comma and after "1" insert ", and section 2, subdivision 3"

Page 9, after line 4 insert:

"Subd. 3. There is appropriated to the state planning agency \$50,000 for administrative costs incurred in carrying out the duties prescribed in section 1."

And when so amended, H. F. No. 2144 will be identical to S. F. No. 1995 and further recommends that H. F. No. 2144 be given its second reading and substituted for S. F. No. 1995 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2144 was read the second time.

MOTIONS AND RESOLUTIONS

RECONSIDERATION

The question recurred on Mr. Conzemius' motion that the vote whereby H. F. No. 2492 failed to pass the Senate on March 25, 1976, be now reconsidered. The motion prevailed.

Mr. Conzemius moved that H. F. No. 2492 be placed at the top of General Orders. The motion prevailed.

Mr. Ashbach moved that H. F. No. 166 be taken from the table. The motion prevailed.

Mr. Ashbach moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 166, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the rules of the Senate be so far suspended that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 2534: A bill for an act relating to Chisago, Isanti, and Pine counties; providing retirement benefits for certain judges.

Mr. Chmielewski moved to amend H. F. No. 2534 as follows:

Page 1, strike lines 20 through 22 and insert:

"Sec. 2. Laws 1974, Chapter 400, Section 3, Subdivision 5, is amended to read:

Subd. 5. "Local government unit" or "government unit" means the town of Moose Lake and the town of Windemere *and any municipalities subsequently annexed to the district* .

Sec. 3. Laws 1974, Chapter 400, Section 3, Subdivision 12, is amended to read:

Subd. 12. "District disposal system" means any and all of the interceptors or treatment works owned, constructed or operated by the board unless designated by the board as local sanitary sewer facilities ; *and includes any water system or refuse disposal system facilities owned, constructed or operated by the board* .

Sec. 4. Laws 1974, Chapter 400, Section 4, Subdivision 2, is amended to read:

Subd. 2. [MEMBERS AND SELECTION.] The board shall be composed of five members selected as follows: The ~~town boards~~ *governing bodies* of the government units shall meet jointly to appoint the members of the board and each ~~town board~~ *governing body* member shall have one vote. The ~~town boards~~ *governing bodies* at the joint meeting shall also designate the term

of the first board members according to subdivision 5. For the purposes of this subdivision the governing body of a town is the town board.

Sec. 5. Laws 1974, Chapter 400, Section 8, is amended by adding a subdivision to read:

Subd. 5. In addition to all other powers conferred upon the board in this section, it shall have all the powers of a sanitary district as provided in Minnesota Statutes, Section 115.26. The provisions of Laws 1974, Chapter 400, Section 12, shall apply and be followed with respect to any projects initiated pursuant to the authority granted in this subdivision.

Sec. 6. Laws 1974, Chapter 400, is amended by adding a section to read:

Sec. 21. [ANNEXATION OF TERRITORY.] Any municipality upon resolution adopted by a four-fifths vote of its governing body may petition the board for annexation to the district of the area then comprising the municipality, or any part thereof and, if accepted by the board, the area shall be deemed annexed to the district and subject to the jurisdiction of the board under the terms and provisions of this act. The territory so annexed shall be subject to taxation and assessment pursuant to the provisions of this act and shall be subject to taxation by the board like other property in the district for the payment of principal and interest thereafter becoming due on general obligations of the board, whether authorized or issued before or after the annexation. The board may in its discretion condition approval of the annexation upon the contribution, by or on behalf of the municipality petitioning for annexation, to the board of an amount as may be agreed upon as being a reasonable estimate of the proportionate share, properly allocable to the municipality, of costs of acquisition, betterment and debt service previously allocated to local government units in the district, on terms as may be agreed upon. For the purpose of paying this contribution, the municipality may levy taxes upon all taxable property in that part of the government unit located in the district for all or a part of the amounts payable to the board, to be assessed and extended as a tax upon the taxable property by the county auditor for the next calendar year, free from any limitation of rate or amount imposed by law or charter. The tax shall be collected and remitted in the same manner as other general taxes of the government unit. When the contributions are made by the municipality to the board, they shall be applied in reduction of the total amount of costs thereafter allocated to each local government unit in the district, on an equitable basis which the board deems in the best interests of the district, applying so far as practicable and appropriate the criteria set forth in section 10, subdivision 2. Upon annexation of the territory, the secretary of the board shall certify to the auditor and treasurer of the county in which the municipality is located the fact of annexation and a legal description of the territory annexed.

Sec. 7. [EFFECTIVE DATE.] Subdivision 1. Section 1 of this act is effective upon approval by the county boards of Chisago, Isanti, and Pine counties and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. Sections 2 to 6 take effect upon approval by the towns of Moose Lake and Windemere when approved by the town boards of each town and upon compliance with Minnesota Statutes, Section 645.021."

Underline all new language in the bill

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to local government in Carlton, Chisago, Isanti and Pine counties; providing retirement benefits for certain county judges; making changes in the relationship of the towns of Moose Lake and Windemere with respect to the Moose Lake and Windemere area sanitary sewer district; authorizing the Moose Lake and Windemere area sanitary sewer district to exercise certain powers of sanitary districts; providing for the appointment of members of the sanitary sewer boards; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivision 2; 8 by adding a subdivision; and by adding a section."

The motion prevailed. So the amendment was adopted.

H. F. No. 2534 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, A. G.	Solon
Arnold	Frederick	Kowalczyk	Olson, H. D.	Stassen
Bang	Gearty	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stumpf
Borden	Hansen, Mel	Lewis	Patton	Tennessee
Brown	Hanson, R.	McCutcheon	Pillsbury	Ueland
Chenoweth	Hughes	Milton	Renneke	Wegener
Chmielewski	Josefson	Moe	Schaaf	Willet
Conzemius	Keefe, J.	Nelson	Schmitz	
Davies	Keefe, S.	Ogdahl	Schrom	
Doty	Kirchner	Olhoff	Sillers	

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

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Tennessee moved that the following members be excused for a Conference Committee on S. F. No. 819:

Messrs. Stumpf; Tennessee; Keefe, S.; Brown and Fitzsimons. The motion prevailed.

SPECIAL ORDER

H. F. No. 25: A bill for an act relating to housing; providing warranties on the sale of new housing upon the seller.

Mr. Tennessee moved to amend H. F. No. 25 as follows:

Page 1, line 19, after "items" insert " , or apartment buildings"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 25 as follows:

Page 1, line 9, strike "of the home"

Page 1, line 10, strike "building industry for the geographic area" and insert "provided in a building code established by the political subdivision"

The motion prevailed. So the amendment was adopted.

H. F. No. 25 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Borden	Doty	Keefe, J.	McCutcheon	Perpich, G.
Brown	Gearty	Kleinbaum	Merriam	Schaaf
Chenoweth	Hansen, Mel	Kowalczyk	Milton	Solon
Coleman	Hughes	Laufenburger	Olhoft	Stokowski
Davies	Humphrey	Lewis	Perpich, A. J.	Stumpf

Those who voted in the negative were:

Anderson	Chmielewski	Larson	Patton	Tennesen
Arnold	Conzemius	Moe	Pillsbury	Ueland
Ashbach	Frederick	Nelson	Purfeerst	Wegener
Bang	Hansen, Baldy	Ogdahl	Renneke	Willet
Berg	Hanson, R.	Olson, A. G.	Schmitz	
Bernhagen	Josefson	Olson, H. D.	Schrom	
Blatz	Kirchner	Olson, J. L.	Sillers	
Brataas	Knutson	O'Neill	Stassen	

So the bill failed to pass.

SPECIAL ORDER

H. F. No. 2492: A bill for an act relating to environmental protection; limiting the sale and use of organic compounds known as polychlorinated biphenyls; permitting exemptions; requiring labels; defining terms; providing penalties.

Mr. Purfeerst moved to amend H. F. No. 2492, as amended by the Borden amendment, adopted by the Senate March 25, 1976, as follows:

Strike subdivision 5 and insert:

"Subd. 5. For actions proposed by a private person there shall be no assessment for preparation and distribution of an environmental impact statement for an action which has a total value less than one million dollars. For actions which are greater than one million dollars but less than ten million dollars, the assessment to the proposer as determined by the agency shall not exceed .3 percent of the total value except that the total value shall not include the first one million dollars of value. For actions the value of which exceed ten million dollars but are less than 50 million dollars,

an additional charge may be made to the proposer by the agency which will not exceed .2 percent of each one million dollars of value over ten million dollars. For actions which are greater than 50 million dollars in total value, an additional charge may be made to the proposer by the agency which will not exceed .1 percent of each one million dollars of value over 50 million dollars. The proposer shall pay the assessed cost to the board when a state agency is designated the responsible agency. All money received by the board pursuant to this subdivision shall be deposited in the general fund. The proposer shall pay the assessed cost to the designated lead agency when such agency is a local unit of government."

The motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend the amendment placed on H. F. No. 2492 by the Committee on Natural Resources and Agriculture, adopted by the Senate March 17, 1976, as follows:

Section 2, at the end of subdivision 2 insert "Wastepaper, pulp, or other paper products or materials purchased for use within this state in the manufacture of recycled paper products are exempt from the requirements of this section."

The motion prevailed. So the amendment was adopted.

H. F. No. 2492 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Kirchner	Nelson	Purfeerst
Arnold	Conzemius	Kleinbaum	North	Schmitz
Ashbach	Davies	Kowalczyk	Ogdahl	Sillers
Bang	Doty	Laufenburger	Olhoft	Solon
Blatz	Gearty	Lewis	Olson, A. G.	Stassen
Borden	Hansen, Mel	McCutcheon	Olson, H. D.	Stokowski
Brataas	Hughes	Merriam	O'Neill	Wegener
Chenoweth	Humphrey	Milton	Perpich, A. J.	Willet
Chmielewski	Keefe, J.	Moe	Perpich, G.	

Those who voted in the negative were:

Berg	Frederick	Josefson	Olson, J. L.	Renneke
Bernhagen	Hansen, Baldy	Knutson	Patton	Schrom
Dunn	Hanson, R.	Larson	Pillsbury	Ueland

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

SPECIAL ORDER

H. F. No. 1078: A bill for an act relating to real estate; requiring certain real estate developers to comply with trust account requirements; amending Minnesota Statutes, 1975 Supplement, Section 82.18.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	North	Renneke
Arnold	Davies	Kirchner	Ogdahl	Schaaf
Ashbach	Doty	Kleinbaum	Olhoft	Schmitz
Bang	Dunn	Knutson,	Olson, A. G.	Schrom
Berg	Frederick	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Gearty	Larson	Olson, J. L.	Solon
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski,
Brataas	Hanson, R.	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Hughes	Milton	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Pillsbury	
Coleman	Josefson	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 500:

Messrs. Borden; Humphrey; McCutcheon; Hanson, R. and Bernhagen. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on S. F. No. 60:

Messrs. Conzemius, Kowalczyk and Nelson. The motion prevailed.

SPECIAL ORDER

H. F. No. 2489: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; authorizing an annual permit for refuse compactor vehicles and prescribing maximum loads thereon; providing a fee therefor; redefining farm trucks; amending Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended; and Minnesota Statutes 1974, Section 169.86, Subdivision 5; repealing Minnesota Statutes 1974, Section 169.831.

Mr. Chmielewski moved to amend H. F. No. 2489, as amended pursuant to Rule 49, adopted by the Senate March 17, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2398.)

Page 1, after line 10, insert a new section to read:

“Section 1. Minnesota Statutes 1971, Section 168.011, Subdivision 17, as amended by Laws 1973, Chapter 218, Section 2, is amended to read:

Subd. 17. [FARM TRUCK.] “Farm truck” means all single unit trucks, truck-tractors, tractors, semitrailers, and trailers used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner. Trucks,

truck-tractors, tractors, semitrailers, and trailers registered as "farm trucks" may be used :

(a) by the owner thereof to occasionally transport unprocessed and raw farm products, not produced by the owner of the truck, from the place of production to market when such transportation constitutes the first haul of such products, and may be used ;

(b) by the owner thereof, either farmer or logger who harvests and hauls forest products only ; :

(1) to transport logs, pulpwood, lumber, chips, railroad ties and other raw and unfinished forest products from the place of production to an assembly yard or railhead when such transportation constitutes the first haul thereof, provided that the owner and operator of such vehicle transporting planed lumber shall have in his immediate possession a statement signed by the producer of such lumber designating the governmental subdivision, section and township where such lumber was produced and that this haul, indicating the date, is the first haul thereof ;

(2) to transport equipment and appurtenances incidental to timber harvesting, and gravel and other road building materials for timber haul roads to and from timber harvesting areas .

"Farm trucks" shall also include only single unit trucks, which, because of their construction, cannot be used for any other purpose and are used exclusively to transport milk and cream enroute from farm to an assembly point or place for final manufacture, and for transporting milk and cream from an assembly point to a place for final processing or manufacture. This section shall not be construed to mean that the owner or operator of any such truck cannot carry on his usual accommodation services for his patrons on regular return trips, such as butter, cream, cheese, and other dairy supplies."

Renumber remaining sections

Amend the title as follows:

Page 1, line 2, after the semicolon insert "amending the definition of "farm truck"; amending the provision for"

Page 1, after line 6, insert "Statutes 1971, Section 168.011, Subdivision 17, as amended; Minnesota"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski then moved to amend H. F. No. 2489, as amended pursuant to Rule 49, adopted by the Senate March 17, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2398.)

Page 1, after line 10, insert a new section to read:

"Sec. 2. Minnesota Statutes 1974, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMI-TRAILERS AND TRACTORS.] (a) No combination of vehicles coupled together unladen or with load, including truck tractor and semitrailers, shall consist of more than two units unless such combination consists of a truck and semitrailer or a truck-tractor and semitrailer drawing one additional semitrailer equipped with an auxiliary dolly, and no combination of vehicles shall exceed a total length of 55 60 feet except as provided by section 169.861, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load. Mount combinations may be drawn but such combinations may not exceed 55 60 feet in length. ~~Said limitation on the number of units shall not apply to vehicles used for transporting milk from point of production to point of first processing, in which case no combination of vehicles coupled together unladen or with load, including truck tractor and semitrailers, shall consist of more than three units and no such combination of vehicles shall exceed a total length of 55 feet.~~ For the purpose of registration, trailers coupled with a truck-tractor, semi-trailer combination shall be considered the same as semitrailers. The state, as to state trunk highways, and any city or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries *and further provided that the commissioner of highways shall have the authority to restrict from such segments of the state highway system as he shall so designate on the basis of safety considerations, combinations of vehicles that exceed 55 feet in length not otherwise exempted in this section.* (b) No single semitrailer or trailer shall have an overall length, exclusive of rear protective bumpers which do not increase the overall length by more than six inches and further exclusive of any accessory equipment mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, in excess of 45 feet, except for those semitrailers governed by subdivisions 3a and 7 of this section."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "providing increased lengths for certain vehicles and combinations of vehicles;"

Page 1, line 7, strike "Section" and insert "Sections 169.81, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend H. F. No. 2489, as amended pursuant to Rule 49, adopted by the Senate March 17, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2398.)

Page 2, after line 1, insert new sections to read:

“Sec. 2. Minnesota Statutes 1974, Section 168.12, is amended by adding a subdivision to read:

Subd. 2b. [GRAPHIC DESIGN PLATE; FEE.] In addition to specifications required for number plates in subdivisions 1, 2, and 2a of this section, any number plate issued for vehicles registered pursuant to section 168.017 or recreational vehicles registered pursuant to section 168.013, subdivision 1g, shall include a graphic design along with the letters and numerals appearing on the plate. The commissioner may impose a fee of up to 50 cents for issuance of any such plate or plates in addition to any fee or tax required to be paid as a condition to issuance of any number plate or plates.

Sec. 3. Notwithstanding the provisions of section 168.12, subdivision 2b, the commissioner of public safety shall first issue all number plates without a graphic design which are manufactured before the commissioner begins manufacturing graphic design plates. The commissioner shall begin manufacturing graphic design plates as soon as practicable.”

Page 2, after line 3, insert a new section to read:

“Sec. 5. There is appropriated from the highway user tax distribution fund to the commissioner of public safety the sum of \$290,000 for the manufacture of license plates. This appropriation is in addition to the appropriation pursuant to Laws 1975, Chapter 204, Section 31, and shall be available until June 30, 1977.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike “highway traffic regulations” and insert “motor vehicles”

Page 1, line 6, after the semicolon insert “providing for graphic design license plates for certain motor vehicles; appropriating money;”

Page 1, line 7, strike “Section” and insert “Sections 168.12, by adding a subdivision;”

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 2489, as amended pursuant to Rule 49, adopted by the Senate March 17, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2398.)

Page 2, after line 1, add a new section to read:

"Sec. 2. [RAILROADS; CONTRACTS FOR PASSENGER SERVICE; APPROPRIATION.] *There is appropriated to the public service commission from the general fund the sum of \$300,000, or so much thereof as may be required, for the purpose of contracting with the National Railroad Passenger Corporation for the continuation of railroad passenger service within the state pursuant to Minnesota Statutes, Sections 216A.10 to 216A.13, during the biennium ending June 30, 1977.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike "highway traffic regulations" and insert "transportation"

Page 1, line 6, after the semicolon, insert "appropriating money for continuation of certain rail passenger service; "

The motion prevailed. So the amendment was adopted.

Mr. Arnold raised a point of order under Rule 35 that H. F. No. 2489 should be re-referred to the Committee on Finance.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

NOTICE OF RECONSIDERATION

Mr. Chmielewski gave notice of intention to move for reconsideration of the votes whereby amendments were adopted to H. F. No. 2489 on March 29, 1976.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennesen moved that H. F. No. 471 be taken from the table.

Mr. Tennesen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 471, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Merriam moved that S. F. No. 2241 be taken from the table. The motion prevailed.

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S. F. No. 2241 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 1800, pursuant to the request of the Senate:

Messrs. Wegener; Anderson; Solon; Hanson, R. and Mrs. Brataas.

H. F. No. 166, pursuant to the request of the House:

Messrs. Ashbach, Stumpf and Schaaf.

H. F. No. 1330, pursuant to the request of the House:

Messrs. Doty, Spear and O'Neill.

S. F. No. 2025, pursuant to the request of the Senate:

Mrs. Brataas, Messrs. Solon, Knutson, Milton and North.

S. F. No. 1615, pursuant to the request of the Senate:

Messrs. Perpich, A. J.; Milton and Willet.

H. F. No. 2043, pursuant to the request of the House:

Messrs. Keefe, S.; Olson, A. G. and Stassen.

H. F. No. 1827, pursuant to the request of the House:

Messrs. O'Neill, Borden and McCutcheon.

H. F. No. 2188, pursuant to the request of the House:

Messrs. Chmielewski, Schmitz, Purfeerst, Frederick and Hansen, Mel.

H. F. No. 2204, pursuant to the request of the House:

Messrs. Tennessen, McCutcheon and Keefe, J.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Tuesday, March 30, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate