

ONE HUNDRED SECOND DAY

St. Paul, Minnesota, Wednesday, March 31, 1976

The Senate met at 12:00 o'clock noon 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:

Arnold	Davies	Jensen	McCutcheon	Perpich, G.
Ashbach	Doty	Josefson	Milton	Purfeerst
Bang	Frederick	Keefe, S.	Moe	Renneke
Berg	Gearty	Kirchner	North	Schmitz
Bernhagen	Hansen, Baldy	Kleinbaum	Ogdahl	Stokowski
Borden	Hansen, Mel	Knutson	Olhoft	Stumpf
Brataas	Hanson, R.	Kowalczyk	Olson, A. G.	Ueland
Brown	Hughes	Laufenburger	Olson, J. L.	Wegener
Conzemius	Humphrey	Lewis	Perpich, A. J.	

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

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. Pillsbury was excused from the Session of today. Mr. Hansen, Mel was excused from the Session of today until 1:30 o'clock p.m. Mr. Spear was excused from the Session of today until 2:00 o'clock p.m. Mr. Doty was excused from the Session of today at 3:00 o'clock p.m.

Pursuant to Rule 21, Mr. Arnold moved that the following members be excused for a Conference Committee on S. F. No. 2581:

Messrs. Arnold, Anderson, Davies, Fitzsimons and Josefson. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on S. F. No. 2241:

Messrs. Merriam, Dunn and Willet. The motion prevailed.

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

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 30, 1976

The Honorable Alec Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 733, An act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

S. F. No. 2344: An Act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

Sincerely,
Wendell R. Anderson, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 2300 and 2402.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 1976

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. 2032: A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

Senate File No. 2032 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 1976

Mr. Moe moved that the Senate do not concur in the amendments by the House to S. F. No. 2032 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 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. 320: A bill for an act relating to taxation; increasing the percentage of unrefunded gasoline excise taxes attributable to snowmobile operation; appropriating money; amending Minnesota Statutes 1974, Sections 296.16, Subdivision 1; and 296.421, Subdivisions 6 and 7.

Senate File No. 320 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 1976

Mr. Olhofft moved that the Senate do not concur in the amendments by the House to S. F. No. 320 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 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. 2241: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

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

Savelkoul, Eken and Kahn.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 1976

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. 1519, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1519: A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

House File No. 1519 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 30, 1976

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1519

A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

March 26, 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. 1519 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. 1519 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1971, Chapter 773, Section 1, as amended by Laws 1974, Chapter 351, Section 5, Subdivision 1, is amended to read:

Section 1. [ST. PAUL, CITY OF; CAPITAL IMPROVEMENTS PROGRAM.] ~~Subdivision 1.~~ Notwithstanding any provision of the charter of the city of St. Paul, the council of said city shall have

power by a resolution adopted by five affirmative votes to all its members to authorize the issuance and sale of general obligation bonds of the city in an amount of ~~\$4,500,000~~ \$6,500,000 for each calendar year for a four year period commencing with the year ~~1972~~ 1976, for the payment of which the full faith and credit of the city is irrevocably pledged.

Sec. 2. Laws 1971, Chapter 773, Section 4, is amended to read:

Sec. 4. No proceeds of any bonds issued pursuant to section 1 hereof shall be expended for the construction or equipment of any portion of the St. Paul auditorium or civic center connected thereto ; *nor shall any such proceeds be expended for the acquisition or betterment of the building known as the Lowry Medical Arts Annex. All bonds issued under this act shall mature at any time or times within ten years from the date of issue.*

Sec. 3. *Subdivision 1. Notwithstanding any provision of law or the charter of the city of St. Paul to the contrary, any issue of revenue bonds authorized by the port authority of the city of St. Paul shall be issued only with the consent of the city council of the city of St. Paul by a resolution adopted in accordance with law.*

Subd. 2. [IMPAIRMENT OF EXISTING OBLIGATIONS.] No existing obligations, contract, agreement, collective bargaining agreement, fringe benefit plan, or covenant made or entered into by the St. Paul port authority shall be in any manner impaired by the adoption of this act.

Subd. 3. Notwithstanding any other law or charter provision to the contrary the council may, by resolution adopted by a majority of the council, place any employees of the port authority under the direction, supervision or control of the mayor or another department of the city of St. Paul.

Sec. 4. *Subdivision 1. [CITY COUNCIL AS COMMISSIONERS OF HOUSING AND REDEVELOPMENT AUTHORITY.] Notwithstanding the provisions of Laws 1963, Chapter 514, Minnesota Statutes, Section 462.425, or any other law or the charter of the city of St. Paul to the contrary, commencing January 1, 1977, the housing and redevelopment authority of the city of St. Paul shall consist of the members of the city council of the city of St. Paul.*

Subd. 2. [IMPAIRMENT OF EXISTING OBLIGATIONS.] No existing obligation, contract, agreement, collective bargaining agreement, fringe benefit plan, or covenant made or entered into by the housing and redevelopment authority of the city of St. Paul shall be in any manner impaired by the adoption of this act.

Subd. 3. Notwithstanding any other law or charter provision to the contrary the housing and redevelopment authority of the city of St. Paul may, by resolution adopted by a majority of the commissioners, place any employees of the housing and redevelopment authority of the city of St. Paul under the direction, supervision or control of the mayor or any department of the city of St. Paul.

Subd. 4. The establishment of the St. Paul city council as

the commissioners of the St. Paul housing and redevelopment authority or placement of any employees under the direction, supervision or control of the mayor or any department of the city, shall not affect rights of any employees of the housing and redevelopment authority, including but not limited to any rights pursuant to an existing collective bargaining agreement or fringe benefit plan. The employees shall remain as employees of the housing and redevelopment authority and shall not be employees of the city of St. Paul.

Sec. 5. *Notwithstanding any other provision of law or the city charter to the contrary, the city council of the city of St. Paul shall appoint a citizens advisory committee on housing and redevelopment to assist the council in carrying out its duties under sections 3 and 4 of this act.*

Sec. 6. Minnesota Statutes 1974, Section 15.50, Subdivision 3, is amended to read:

Subd. 3. The administrative and planning expenses of the commission shall be borne by the state. The expenses of the commission for competition premiums, land acquisition or improvement or any other capital expenditures in or upon properties owned or to be owned by the state shall be borne by the state. The expenses of any other public body for such expenditures shall be borne by the body concerned. The city of Saint Paul ~~shall hold~~ *may expend* moneys currently in the city of Saint Paul Capitol Approach Improvement Fund established by Laws 1945, Chapter 315, and acts amendatory thereof ~~until such time as the legislature may require the commission to request these funds for planning and development purposes in the capitol area. Upon such request by the commission, the city shall expend such funds in the manner and for the purposes specified by the request for capital improvements contained in the city's approved capital improvement budget. The budget is to be adopted in accordance with the provisions contained in the city charter.~~

Sec. 7. Laws 1971, Chapter 773, Section 1, Subdivision 2, as amended by Laws 1974, Chapter 351, Section 5, is repealed.

Sec. 8. *This act shall become effective only after its approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."*

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

"A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes and for expending moneys for the capitol area; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3; and Laws 1971, Chapter 773, Sections 1, Subdivision 1, as amended, and 4; repealing Laws 1971, Chapter 773, Section 1, Subdivision 2, as amended."

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

House Conferees: (Signed) Neil B. Dieterich, Ray W. Faricy, John D. Tomlinson

Senate Conferees: (Signed) John C. Chenoweth, Peter P. Stumpf, Robert D. North

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1519 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. 1519: A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes and for expending moneys for the capitol area; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3; and Laws 1971, Chapter 773, Sections 1, Subdivision 1, as amended, and 4; repealing Laws 1971, Chapter 773, Section 1, Subdivision 2, as amended.

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 52 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Solon
Arnold	Davies	Keefe, S.	North	Stassen
Ashbach	Doty	Kirchner	Ogdahl	Stokowski
Bang	Dunn	Kleinbaum	Olhoff	Stumpf
Berg	Gearly	Knutson	Olson, A. G.	Tennessen
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Ueland
Brataas	Hanson, R.	Larson	O'Neill	Wegener
Brown	Hughes	Laufenburger	Perpich, A. J.	Willet
Chenoweth	Humphrey	Lewis	Perpich, G.	
Chmielewski	Jensen	Milton	Purfeerst	
Coleman	Josefson	Moe	Schmitz	

Messrs. Frederick, McCutcheon, Renneke and Schrom voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

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. 1906: A bill for an act relating to licensed occupations; establishing a policy for the regulation of occupations; transferring responsibility for the provision of staffing and administrative services; clarifying reporting responsibilities; prescribing a procedure for complaint review; granting licensing boards

additional powers relating to injunctive relief, subpoenas, continuing education, and other matters; prescribing duties of the board of health relating to human services occupations, creating advisory councils; merging the licensed practical nursing board into the board of nursing; making miscellaneous changes in practice acts for various licensed occupations; adopting the standard terms "licensure" and "license" for occupational licensing boards; transferring employees and moneys; amending Minnesota Statutes 1974, Sections 125.04; 125.05; 125.06; 125.08; 125.09, Subdivision 1; 125.12, Subdivision 1; 125.13, Subdivision 1; 125.17, Subdivision 1; 125.182, Subdivisions 2 and 3; 125.183, by adding a subdivision; 125.184, as amended; 125.185, as amended; 125.187; 144.955; 144.959; 147.021, Subdivision 1; 147.06; 147.13; 147.18; 147.23; 148.05; 148.06, Subdivision 1; 148.07, as amended; 148.10; 148.211, Subdivision 2; 148.241, Subdivision 1; 148.291, Subdivision 3; 148.32; 148.57; 148.59; 148.90, as amended; 148.91, Subdivisions 1 and 3; 148.97, Subdivision 6; 148.98; 150A.04, Subdivision 5; 150A.06, Subdivision 1; 150A.08, Subdivision 4; 150A.09, Subdivisions 1 and 3; 151.06, Subdivision 4; 151.10; 151.101; 151.11; 151.12; 151.13; 151.14; 151.19; 151.25; 151.27; 151.37, Subdivisions 5 and 6; 151.40; 153.07; 153.08; 153.09; 154.04; 155.02, Subdivision 7a; 155.03, Subdivision 2; 155.06, Subdivision 3; 155.09, Subdivisions 1, 4 and 5; 155.11, Subdivision 2; 155.14; 155.15; 155.16; 155.18, Subdivision 1; 155.19; 155.20, Subdivision 2; 156.01, Subdivision 5; 156.02, Subdivision 2; 156.03; 156.07; 156.072, Subdivisions 2 and 3; 156.081, Subdivision 1; 156.14; 214.01, Subdivision 1; 214.06; 270.47; 270.50; 270.51; 326.08, Subdivision 1; 326.11, Subdivision 6; 326.15; 326.19; 326.20; 326.21; 326.22, as amended; 326.23; 326.241, as amended; 326.242, Subdivisions 8 and 9; 326.33, Subdivisions 2 and 3; 326.331; 326.332, Subdivision 1; 326.333; 326.334, Subdivision 1; 326.54; 326.543; 326.544; 326.545; 326.546; 341.05, as amended; 341.06; 341.07; 341.08; 341.12; 341.13; 341.15; 386.61, Subdivision 2; 386.63, Subdivisions 2 and 3; 386.64; 386.65, Subdivision 1; 386.67; 386.69; 386.72; 386.73; Chapter 214, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 125.03, Subdivision 1; 125.11; 125.183, Subdivision 3; 144.952, by adding a subdivision; 147.01; 147.02, Subdivision 1; 147.05; 148.03; 148.181; 148.191; 148.211, Subdivision 1; 148.261, Subdivision 1; 148.29, Subdivision 2; 148.291, Subdivision 1; 148.299; 148.52; 148.54; 148.60; 148.67; 148.95; 150A.02, Subdivision 1; 150A.03, Subdivision 2; 151.03; 151.06, Subdivision 1; 151.07; 153.02; 153.03; 153.04; 153.13; 153.15; 154.22; 154.23; 155.05; 155.06, Subdivision 1; 155.08; 156.01, Subdivision 1; 214.01, Subdivision 2; 214.04; 214.07; 214.09, Subdivision 3; 270.41; 270.42; 270.48; 326.03, Subdivision 1; 326.04; 326.05; 326.06; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1 and 5; 326.12; 326.13; 326.14; 326.17; 326.18; 326.33, Subdivision 1; 326.541; 326.542; 341.01; 341.04; 341.10; 341.11; 386.62; 386.63, Subdivision 1; 386.66; 386.68; 386.70, Subdivision 1; 386.71; repealing Minnesota Statutes 1974, Sections 125.09, Subdivisions 2 and 3; 144.956; 144.958; 144.96; 144.965; 145.861; 145.862; 145.863; 145.864; 145.865, Subdivision 3; 148.06, Subdivision 2; 148.08, Subdivision 1; 148.291, Subdivision 2; 148.55; 148.58; 148.94; 148.97, Subdivision 2; 148.99, Subdivision 1; 150A.04, Subdivisions 1, 2, 3 and 4;

150A.07; 150A.08, Subdivision 2; 150A.09, Subdivision 2; 151.09; 153.10; 153.11; 154.065, Subdivision 6; 156.01, Subdivision 4; 326.08, Subdivision 3; 326.11, Subdivision 3; 326.16; 326.334, Subdivision 3; 386.63, Subdivision 6; 386.65, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 145.865, Subdivision 1; 145.866; 148.211, Subdivision 3; 148.231, Subdivision 3; 148.261, Subdivision 2; 148.291, Subdivision 4; 148.297, Subdivision 2; 148.55; 326.10, Subdivision 4; 326.11, Subdivisions 2 and 4; 386.695; 386.696; and 386.70, Subdivisions 3, 4, 5 and 6.

Senate File No. 1906 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1976

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 1906 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1906: A bill for an act relating to licensed occupations; establishing a policy for the regulation of occupations; transferring responsibility for the provision of staffing and administrative services; clarifying reporting responsibilities; prescribing a procedure for complaint review; granting licensing boards additional powers relating to injunctive relief, subpoenas, continuing education, and other matters; prescribing duties of the board of health relating to human services occupations, creating advisory councils; merging the licensed practical nursing board into the board of nursing; making miscellaneous changes in practice acts for various licensed occupations; adopting the standard terms "licensure" and "license" for occupational licensing boards; transferring employees and moneys; amending Minnesota Statutes 1974, Sections 125.04; 125.05; 125.06; 125.08; 125.09, Subdivision 1; 125.12, Subdivision 1; 125.13, Subdivision 1; 125.17, Subdivision 1; 125.182, Subdivisions 2 and 3; 125.183, by adding a subdivision; 125.184, as amended; 125.185, as amended; 125.187; 144.652; 144.955; 144.959; 147.021, Subdivision 1; 147.035, by adding a subdivision; 147.06; 147.072; 174.073; 147.074; 147.13; 147.18; 147.23; 148.05; 148.06, Subdivision 1; 148.07, as amended; 148.10; 148.211, Subdivision 2; 148.241, Subdivision 1; 148.291, Subdivision 3; 148.32; 148.57; 148.59; 148.90, as amended; 148.91, Subdivisions 1 and 3; 148.97, Subdivision 6; 148.98; 150A.04, Subdivision 5; 150A.06, Subdivision 1; 150A.08, Subdivision 4; 150A.09, Subdivisions 1 and 3; 151.06, Subdivision 4; 151.10; 151.101; 151.11; 151.12; 151.13; 151.14; 151.19; 151.25; 151.27; 151.37, Subdivisions 5 and 6; 151.40; 153.07; 153.08; 153.09; 154.04; 155.02, Subdivision 7a; 155.03, Subdivision 2; 155.06, Subdivision 3; 155.09, Subdivisions 1, 4 and 5; 155.11, Subdivision 2; 155.14; 155.15; 155.16; 155.18, Subdivision 1; 155.19; 155.20, Subdivision 2; 156.01, Subdivision 5; 156.02, Subdivision 2; 156.03; 156.07; 156.072, Subdivisions 2 and 3; 156.081, Subdivision 1; 156.14; 214.01, Subdivision 1; 214.06; 270.47; 270.50; 270.51; 326.08, Subdivision 1; 326.11,

Subdivision 6; 326.15; 326.19; 326.20; 326.21; 326.22, as amended; 326.23; 326.241, as amended; 326.242, Subdivisions 8 and 9; 326.33, Subdivisions 2 and 3; 326.331; 326.332, Subdivision 1; 326.333; 326.334, Subdivision 1; 326.54; 326.543; 326.544; 326.545; 326.546; 341.05, as amended; 341.06; 341.07; 341.08; 341.12; 341.13; 341.15; 286.61, Subdivision 2; 386.63, Subdivisions 2 and 3; 386.64; 386.65, Subdivision 1; 386.67; 386.69; 386.72; 386.73; Chapter 214, by adding sections; Chapter 147, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 125.03, Subdivision 1; 125.11; 125.183, Subdivision 3; 144.952, by adding a subdivision; 147.01; 147.02, Subdivision 1; 147.05; 148.03; 148.181; 148.191; 148.211, Subdivision 1; 148.261, Subdivision 1; 148.29, Subdivision 2; 148.291, Subdivision 1; 148.299; 148.52; 148.54; 148.60; 148.67; 148.95; 150A.02, Subdivision 1; 150A.03, Subdivision 2; 151.03; 151.06, Subdivision 1; 151.07; 153.02; 153.03; 153.04; 153.13; 153.15; 154.22; 154.23; 155.05; 155.06, Subdivision 1; 155.08; 156.01, Subdivision 1; 214.01, Subdivision 2; 214.04; 214.07; 214.09, Subdivision 3; 270.41; 270.42; 270.48; 326.03, Subdivision 1; 326.04; 326.05; 326.06; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1 and 5; 326.12; 326.13; 326.14; 326.17; 326.18; 326.33, Subdivision 1; 326.541; 326.542; 341.01; 341.04; 341.10; 341.11; 386.62; 386.63, Subdivision 1; 386.66; 386.68; 386.70, Subdivision 1; 386.71; repealing Minnesota Statutes 1974, Sections 125.09, Subdivisions 2 and 3; 144.956; 144.958; 144.96; 144.965; 145.861; 145.862; 145.863; 145.864; 145.865, Subdivision 3; 148.06, Subdivision 2; 148.08, Subdivision 1; 148.291, Subdivision 2; 148.55; 148.58; 148.94; 148.97, Subdivision 2; 148.99, Subdivision 1; 150A.04, Subdivision 1, 2, 3 and 4; 150A.07; 150A.08, Subdivision 2; 150A.09, Subdivision 2; 151.09; 153.10; 153.11; 154.065, Subdivision 6; 156.01, Subdivision 4; 326.08, Subdivision 3; 326.11, Subdivision 3; 326.16; 326.334, Subdivision 3; 386.63, Subdivision 6; 386.65, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 145.865, Subdivision 1; 145.866; 148.211, Subdivision 3; 148.231, Subdivision 3; 148.261, Subdivision 2; 148.291, Subdivision 4; 148.297, Subdivision 2; 148.55; 326.10, Subdivision 4; 326.11, Subdivisions 2 and 4; 386.695; 386.696; and 386.70, Subdivisions 3, 4, 5 and 6.

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

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

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Milton	Renneke
Arnold	Doty	Keefe, J.	Moe	Schmitz
Ashbach	Dunn	Keefe, S.	Nelson	Schrom
Bang	Fitzsimons	Kirchner	North	Stassen
Berg	Frederick	Kleinbaum	Ogdahl	Stokowski
Bernhagen	Gearty	Knutson	Olhoft	Stumpf
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Tennessen
Brataas	Hanson, R.	Larson	O'Neill	Ueland
Brown	Hughes	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Lewis	Perpich, G.	Willet
Conzemius	Jensen	McCutcheon	Purfcerst	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 354:

H. F. No. 354: A bill for an act relating to public welfare; providing for the licensing of facilities and services for the handicapped and children; prescribing penalties; amending Minnesota Statutes 1974, Section 252.28; repealing Minnesota Statutes 1974, Sections 245.78; 245.79; 245.80; 245.81; 245.82; 257.081; 257.082; 257.091; 257.101; 257.102; 257.111; 257.123; and 257.124.

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

Dahl, McEachern and Kaley have been appointed as such committee on the part of the House.

House File No. 354 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 30, 1976

Mr. North moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 354, 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. 2492:

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.

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

Munger, Vento and Carlson, A. have been appointed as such committee on the part of the House.

House File No. 2492 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 30, 1976

Mr. Conzemius moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2492, 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 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. 855: 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; providing for a joint committee to study governmental structure; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

Senate File No. 855 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1976

Mr. Chenoweth moved that S. F. No. 855 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. 1999: A bill for an act relating to elections; preparation of ballots; changing rotation of names; imposing duties on the county auditor; repealing special provisions for voting in presidential elections; providing for eligible voters residing outside the United States to vote; amending Minnesota Statutes 1974, Section 208.04; and Chapter 207, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 203A.31, by adding a subdivision; 203A.33, Subdivision 4; repealing Minnesota Statutes 1974, Sections 208.21 to 208.35.

Senate File No. 1999 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1976

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 1999 and that the bill be placed on its repassage as amended.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 37 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, H. D.	Stokowski
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stumpf
Borden	Hansen, Baldy	Merriam	Perpich, G.	Tennessen
Chenoweth	Hughes	Milton	Schaaf	Wegener
Chmielewski	Humphrey	Moe	Schmitz	Willet
Coleman	Keefe, S.	North	Schrom	
Conzemius	Kleinbaum	Olhoff	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Ashbach	Brataas	Hansen, Mel	Nelson	Renneke
Bang	Brown	Kirchner	Ogdahl	Sillers
Berg	Dunn	Knutson	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Kowalczyk	O'Neill	Ueland
Blatz	Frederick	Larson	Patton	

The motion prevailed.

S. F. No. 1999: A bill for an act relating to elections; providing for preparation of ballots; changing rotation of names; imposing duties on the county auditor; providing for arrangement of the ballot on mechanical voting machines; repealing special provisions for voting in presidential elections; providing for voting of eligible voters residing outside the United States; amending Minnesota Statutes 1974, Sections 205.17, Subdivision 2; 206.07, Subdivision 1, and by adding a subdivision; and 208.04; and Chapter 207, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 202A.32, Subdivision 1; 203A.12, Subdivision 2; 203A.31, by adding a subdivision; 203A.33, Subdivisions 2 and 4; repealing Minnesota Statutes 1974, Sections 208.21 to 208.35; and Minnesota Statutes, 1975 Supplement, Section 203A.12, Subdivision 4.

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

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

And the roll being called, there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, H. D.	Spear
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Merriam	Perpich, G.	Stumpf
Chenoweth	Hughes	Milton	Purfeerst	Tennessen
Chmielewski	Humphrey	Moe	Schaaf	Wegener
Coleman	Keefe, S.	North	Schmitz	Willet
Conzemius	Kleinbaum	Olhoff	Schrom	
Davies	Laufenburger	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Brown	Josefson	Nelson	Sillers
Bang	Dunn	Keefe, J.	Ogdahl	Stassen
Berg	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Bernhagen	Frederick	Knutson	O'Neill	
Blatz	Hansen, Mel	Kowalczyk	Patton	
Brataas	Hanson, R.	Larson	Renneke	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 24: A house concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1976

Referred to the Committee on Rules and Administration.

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. 1788: A bill for an act relating to banks and banking; authorizing consumer banking facilities and credit union facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section.

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

Hanson, Corbid and Suss.

Senate File No. 1788 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 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. 1764: A bill for an act relating to safe deposit companies; exempting savings associations from licensing and bonding requirements; deleting a limitation on examination fees; amending Minnesota Statutes 1974, Sections 55.06, Subdivision 1; and 55.095.

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

Suss, Casserly and Abeln.

Senate File No. 1764 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 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. 1963: A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, judges and judicial branch employees; limiting possible

increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; extending the open meeting law to the legislature; amending Minnesota Statutes 1974, Sections 15A.081; 15A.083, as amended; 43.062, Subdivision 3; 43.067; 471.705, Subdivision 1; and Chapter 43, by adding a section; and Minnesota Statutes, 1975 Supplement; Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069; and 487.05.

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

Sieben, H.; Voss and Norton.

Senate File No. 1963 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 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. 2014: A bill for an act relating to retirement; increasing certain benefits and annuities; appropriating money.

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

Moe, Patton and Biersdorf.

Senate File No. 2014 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 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. 2177: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for

teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions 2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b, 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Section 352C.04, Subdivisions 2 and 2b.

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

Beauchamp, Biersdorf and Patton.

Senate File No. 2177 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 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. 2208: A bill for an act relating to courts; changing the status of the Hennepin county juvenile court judge; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 260.021, Subdivision 2; 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Sections 260.021, Subdivision 3; and 490.025, Subdivision 8.

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

Faricy, Berg and Savelkoul.

Senate File No. 2208 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 30, 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 five members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 2581: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

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

Haugerud, Kahn, Faricy, Forsythe and Parish.

Senate File No. 2581 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1976

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 556, 2436, 2486 and 2560.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2493, 2548, 2094, 2657 and 2593.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1976

FIRST READING OF HOUSE BILLS

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

H. F. No. 2493: A bill for an act relating to transportation; appropriating money to the public service commission for the purpose of contracting for railroad passenger service.

Referred to the Committee on Finance.

H. F. No. 2548: A bill for an act relating to public safety; appropriating money for the manufacture of license plates.

Referred to the Committee on Finance.

H. F. No. 2094: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; allowing the status of the University of Minnesota to be provided by law.

Referred to the Committee on Education.

H. F. No. 2593: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; raising limits on interest and increasing the authorized amount of highway bonds; restoring certain language stricken in an earlier proposed constitutional amendment; amending Laws 1975, Chapter 203, Sections 25 and 26.

Referred to the Committee on Rules and Administration.

H. F. No. 2657: A bill for an act relating to natural resources; increasing certain permit and license fees; authorizing the issuance of Minnesota sportsman licenses; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivision 2; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

Referred to the Committee on Rules and Administration.

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. 2688 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2688	2584				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2688 be amended as follows:

Page 3, line 8, delete "the Energy, Research and Development Administration,"

And when so amended, H. F. No. 2688 will be identical to S. F. No. 2584 and further recommends that H. F. No. 2688 be given its second reading and substituted for S. F. No. 2584 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. 2688 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, reported March 26, 1976, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hansen, Baldy moved that in accordance with the report from the Committee on Labor and Commerce, reported March 26, 1976, the Senate, having advised with, do now consent to and confirm the appointment of:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Jack Fena, 2530 West Third Avenue, Hibbing, St. Louis County, appointed effective March 17, 1976, for a term expiring August 29, 1977.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 840 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 840

A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, by adding a section.

March 26, 1976

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 840 report that we have agreed upon the items in dispute and recommend as follows:

The Senate accede to the House amendments and that S. F. No. 840 be further amended as follows:

Page 8, line 24, after the semicolon insert "or"

Page 8, strike lines 25 to 32

Page 9, strike lines 1 and 2 and insert:

"(b) After 90 days but within one year after the filing of a charge if at or prior to the time of bringing the civil action a hearing has not been held pursuant to section 363.071."

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

Senate Conferees: (Signed) Robert J. Tennessen, Eugene E. Stokowski, Carl A. Jensen

House Conferees: (Signed) James R. Casserly, Paul McCarron, Russell P. Stanton

Mr. Tennessen moved that the foregoing recommendations and Conference Committee Report on S. F. No. 840 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.

S. F. No. 840: A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, by adding a section.

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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Olson, J. L.	Spear
Bang	Frederick	Larson	O'Neill	Stassen
Berg	Gearty	Laufenburger	Patton	Stokowski
Blatz	Hansen, Baldy	Lewis	Perpich, G.	Stumpf
Brataas	Hansen, Mel	Merriam	Purfeerst	Tennessen
Brown	Hughes	Milton	Renneke	Ueland
Chenoweth	Jensen	Moe	Schaaf	Wegener
Chmielewski	Keefe, S.	North	Schmitz	Willet
Coleman	Kirchner	Olhoft	Schrom	
Conzemius	Kleinbaum	Olson, A. G.	Sillers	
Doty	Knutson	Olson, H. D.	Solon	

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

MOTIONS AND RESOLUTIONS—CONTINUED 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 as to make General Orders a Special Orders Calendar for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1471: A bill for an act relating to public improvements; allowing certain fees to discharge cancelled special assessments.

Mr. Anderson moved to amend the amendment placed on H. F. No. 1471 by the Committee on Local Government, adopted by the Senate March 17, 1976, as follows:

Strike Section 2 and insert:

"Sec. 2. [435.23] Any municipality, political subdivision, or other public authority may make a re-assessment or new assessment pursuant to section 1 notwithstanding that the original assessment may have been made pursuant to other general law or a special law.

Sec. 3. [444.076] When tax forfeited land is returned to private ownership and the land is benefited by a public improvement for which special assessments were canceled because of the forfeiture, the municipality or other public authority that made the improvement may impose fees or charges for the use or availability of the improvement or for connections therewith in an amount not to exceed the amount remaining unpaid on the canceled assessment. The municipality may make the fees or charges a charge against the owner, lessee, occupant, or all of them and may certify unpaid fees or charges to the county auditor with taxes against the property for collection as other taxes are collected.

Sec. 4. Minnesota Statutes 1974, Section 282.02, is amended to read:

282.02 [LIST OF LANDS OFFERED FOR SALE.] Immediately after classification and appraisal of the land and, in the case of timbered land, after approval of the appraisal of the timber by the commissioner of natural resources, the county board shall provide and file with the county auditor a list of parcels of land to be offered for sale. This list shall contain a description of the parcels of land and the appraised value thereof; provided that the description and appraised value may be omitted in the discretion of the county board. The auditor shall publish a notice of the forfeiture and intended public sale of such parcels of land and a copy of the resolution of the county board fixing the terms of the sale, if other than for cash only, by publication once a week for two weeks in the official newspaper of the county, the last publication to be not less than ten days previous to the commencement of the sale. A notice in substantially the following form shall be sufficient:

"Notice is hereby given that I shall sell to the highest bidder, at my office in the court-house in the city of, in the county of, the following described parcels of land forfeited to the state for non-payment of taxes which have been classified and appraised as provided by law. Such sale will be governed, as to terms, by the resolution of the county board authorizing the same, and commence at o'clock a.m., on the day of, 19

Description Appraised value

Subdivision	Sec. or Lot	Twp. or Block	Range	\$
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Given under my hand and seal this day of, 19

.....
County Auditor,

..... County, Minnesota."

The notice shall also indicate the amount of any special assessments which may be the subject of a reassessment or new assessment or which may result in the imposition of a fee or charge pursuant to sections 1 to 3.

If the county board of St. Louis or Koochiching counties determines that the sale shall take place in a county facility other than the court house, the notice shall specify the facility and its location.

Sec. 5. This act is effective on the day following final enactment."

Amend the title as follows:

Line 2 of the title amendment, after the second "assessment" insert "or the imposition of fees or charges"

Line 3 of the title amendment, after "ownership" insert "; requiring inclusion of certain information in notice of sale of tax forfeited lands" and strike "Section" and insert "Sections 282.02; and"

The motion prevailed. So the amendment was adopted.

H. F. No. 1471 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 38 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Taufenburger	Olson, A. G.	Sillers
Arnold	Gearty	Lewis	Olson, H. D.	Solon
Brataas	Hansen, Mel	Milton	O'Neill	Stokowski
Chmielewski	Hughes	Moe	Perpich, A. J.	Stumpf
Coleman	Keefe, J.	Nelson	Perpich, G.	Wegener
Conzemius	Keefe, S.	North	Purfeerst	Willet
Davies	Kleinbaum	Ogdahl	Schaaf	
Doty	Kowalczyk	Olhoft	Schmitz	

Those who voted in the negative were:

Ashbach	Chenoweth	Josefson	Merriam	Tennessen
Bang	Frederick	Kirchner	Olson, J. L.	Ueland
Berg	Hansen, Baldy	Knutson	Patton	
Blatz	Jensen	Larson	Renneke	

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

Mr. Hughes moved that H. F. No. 2344, No. 8 on General Orders, be stricken and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1865:

Messrs. McCutcheon, Davies and Nelson. The motion prevailed.

Pursuant to Rule 21, Mr. Chmielewski moved that the following members be excused for a Conference Committee on H. F. No. 2188:

Messrs. Hansen, Mel; Frederick; Schmitz; Purfeerst and Chmielewski. The motion prevailed.

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on S. F. No. 1800:

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

SPECIAL ORDER

H. F. No. 1866: A bill for an act relating to tort liability; raising the liability limits of political subdivisions; limiting the liability of individuals employed by political subdivisions; amending Minnesota Statutes 1974, Sections 466.04, Subdivision 1, and by adding subdivisions; and 466.05, Subdivision 2.

Mr. O'Neill moved to amend H. F. No. 1866 as follows:

Page 2, after line 8, insert:

"Sec. 4. Minnesota Statutes 1974, Section 466.05, Subdivision 1, is amended to read:

466.05 [NOTICE OF CLAIM.] Subdivision 1. [NOTICE REQUIRED.] Except as provided in subdivisions 2 and 3, every person who claims damages from any municipality for or on account of any loss or injury within the scope of section 466.02 shall cause to be presented to the governing body of the municipality within 60 180 days after the alleged loss or injury is discovered a notice stating the time, place and circumstances thereof, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the governing body of the municipality or its insurer on notice of a possible claim shall be construed to comply with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice; but in such case, the claimant shall furnish full information regarding the nature and extent of the injuries and damages within 15 days after demand by the municipality. No action therefor shall be maintained unless such notice has been given and unless the action is commenced within one year after such notice. The time for giving such notice does not include the time, not exceeding 90 days, during which the person injured is incapacitated by the injury from giving the notice."

Renumber the remaining section

Amend the title as follows:

Line 5, after "subdivisions;" insert "extending time for notice;"

Line 7, strike "Subdivision" and insert "Subdivisions 1 and"

The motion prevailed. So the amendment was adopted.

Mr. Gearty moved to amend H. F. No. 1866 as follows:

Page 2, after line 24, insert:

"Sec. 5. The legislature of the state of Minnesota finds that a need exists for new and expanded industrial and commercial enterprises to provide for enlarged opportunities for gainful employment by residents of the city of Minneapolis, and to enlarge the tax base of the city of Minneapolis. It is also declared that it is in the interest of the public welfare and purpose to promote the expansion and diversification of industry and commerce, to avoid relocation of industry from the city of Minneapolis, to increase employment, and to provide a larger taxable base for the economy of the city of Minneapolis. The city of Minneapolis is therefore authorized to engage in the program provided in the following sections of this act to encourage the sale of municipal industrial revenue bonds, for the purpose of furthering industrial and commercial expansion in the city of Minneapolis, and thus, improving the welfare of the public for the foregoing reasons and by the stimulation of larger flow of private investment funds from banks, building and loan associations, insurance companies, and other financial institutions, including pension, retirement and profit-sharing funds, meet the need of industrial plant and commercial expansion.

Sec. 6. Subdivision 1. Notwithstanding the provisions of any statute or charter to the contrary, the city council of the city of Minneapolis is authorized to develop and administer a program using only the fund provided in this subdivision to insure (1) the payment of principal, premium if any, and interest due on bonds, notes, or other obligations issued or incurred under the provisions of Minnesota Statutes, Chapters 458, 462, and 474, (2) the amounts due as payments under an agreement which may be in the form of a lease, mortgage, direct or installment sale contract, loan agreement, take or pay or similar agreement, which is entered into to provide revenue for payments on bonds, notes, or other obligations issued or incurred under the provisions of Minnesota Statutes, Chapters 458, 462, and 474. The city council may establish a fund using money derived pursuant to subdivision 5 from which insured bonds, notes or other obligations incurred or issued under Minnesota Statutes, Chapters 458, 462, or 474, may be retired or paid if the revenues pledged from the project to repay or retire the bonds, notes or other obligations are not sufficient to do so, and also from which payments may be made when payments on an agreement specified above are in default.

Subd. 2. The city council shall, by ordinance, promulgate rules and regulations for the program authorized by this act. Such rules and regulations shall establish the schedule for premium payments which will be required of commercial and industrial enterprises for the insurance provided, the administrative procedures for establishing and operating the program, and the criteria by which applicants will be granted insurance. The city council shall not amend the rules or regulations adopted by ordinance and in effect at the time bonds, notes, or other obligations are issued or incurred upon which the initial holder of such obligation relied, to the detriment of the holder of such bonds, notes, or other obligations.

Subd. 3. The city council shall in developing the program authorized by this act, consider the availability of other governmental and private programs.

Subd. 4. In administering the program authorized by this act, the city council shall:

(a) When the insurance fund is not established solely from premiums and moneys earned on premiums, not insure additional obligations of the city or the payment under agreements, the revenues of which are pledged to the payment of obligations of the city when the aggregate amount of principal indebtedness outstanding at any one time of (1) obligations of the city insured under a program authorized by this act and (2) obligations of the city which are to be retired from revenues generated from payments under agreements insured is more than ten times the amount in the fund established, or promised to be deposited by the city in the fund if needed to satisfy payments guaranteed;

(b) Consider at least the following factors in determining the financial soundness of an enterprise; (1) net earnings before taxes and depreciation, (2) ratio of debt to equity, (3) coverage by earnings of debt retirement, (4) amount of working capital in relationship to business needs, (5) years in business, and (6) the nature and quality of real and personal property involved;

(c) Insure only bonds, notes or other obligations of the city which do not exceed \$2,000,000 for any one industrial or commercial enterprise;

(d) Insure only agreements provided for in subdivision 1 the revenues from which are pledged to support bonds, notes or other obligations which do not exceed \$2,000,000 for any one industrial or commercial enterprise;

(e) Provide for the independent review of each application for the program authorized by this act by an experienced person qualified in the field of investment banking and an experienced person qualified in the field of valuation of real and personal property, to determine the financial soundness of the enterprise. The city council, or its designee, shall contract with a person so qualified to provide such review.

Subd. 5. To finance the program authorized by this act, the governing body of the city of Minneapolis, which, for the purposes of this act, is the elected council of the city of Minneapolis, notwithstanding any contrary definition thereof in Minnesota Statutes, Chapter 475, may, by resolution, authorize, issue, and sell, or promise to sell, general obligation bonds of the city of Minneapolis in accordance with the provisions of Minnesota Statutes, Sections 475.45, 475.51, 475.53, 475.54, Subdivision 4, 475.55, 475.553, 475.56, 475.60, 475.61, 475.62, 475.63, 475.64, 475.65, 475.66, 475.67, 475.69, 475.70, and 475.71. Also to finance the program authorized by this act the city council of the city of Minneapolis may, by resolution, authorize, issue, and sell, or promise to sell revenue bonds or obligations payable from the revenues of the program authorized by this act. The promise to sell bonds or obligations may be contained as a term in a contract with a purchaser of bonds, notes or other obligations issued or incurred under the provision of Minnesota Statutes, Chapters 458, 462, and 474, and shall bind the city to carry out the terms of the promise. The total amount of all general obligation bonds out-

standing for programs authorized by this act shall not exceed \$1,000,000. The total amount of all revenue bonds or obligations outstanding for programs authorized by this act shall not exceed \$3,000,000. The amount of all general obligation bonds outstanding at any one time shall be included in the net indebtedness of the city for the purpose of any statutory debt limitation. The city council may also make a direct appropriation from any revenues received by the city to finance the programs authorized by this act.

Subd. 6. In establishing the program provided for in this act, the city council shall make every effort to ensure that the revenues generated from premiums collected for insurance provided, and from moneys earned on funds accumulated in the insurance fund, and the proceeds obtained from the sale of bonds or obligations authorized by subdivision 5 are sufficient to retire the bonds or obligations issued to establish the insurance funds provided for by this act and to provide for the administrative costs of the program.

Sec. 7. Sections 5 and 6 take effect when approved by a majority of the city council of the city of Minneapolis and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Line 2, strike "tort liability" and insert "municipal government"

Line 5, after "subdivisions;" insert "authorizing a commercial and industrial lease and revenue bond guarantee program in the city of Minneapolis; providing for the issuance of limited general obligation bonds, and limited revenue bonds or obligations;"

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

Mr. Davies moved to amend H. F. No. 1866 as follows:

Page 2, line 2, after "I" insert ", unless the officer or employee provides professional services and also is employed in his profession for compensation by a person or persons other than the municipality"

The motion prevailed. So the amendment was adopted.

H. F. No. 1866 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 43 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kowalczyk	Olson, J. L.	Sillers
Bang	Gearty	Laufenburger	O'Neill	Spear
Berg	Hansen, Mel	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennessen
Chenoweth	Keefe, J.	Merriam	Perpich, G.	Ueland
Chmielewski	Keefe, S.	Milton	Purfeerst	Wegener
Conzemius	Kirchner	Moe	Renneke	Willet
Davies	Kleinbaum	Olhoft	Schaaf	
Doty	Knutson	Olson, H. D.	Schmitz	

Messrs. Hansen, Baldy and Jensen voted in the negative.

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

SPECIAL ORDER

H. F. No. 1918: A bill for an act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

Mr. Frederick moved to amend H. F. No. 1918 as follows:

Page 1, line 18, strike "Sec. 2." and insert "Subd. 3."

Page 1, line 18, strike "act" and insert "Section"

Page 1, after line 20, insert a new section to read:

"Sec. 2. Minnesota Statutes 1974, Section 69.06, is amended to read:

69.06 [SERVICE PENSIONS.] Every fire department relief association organized under any laws of this state when its certificate of incorporation or bylaws so provide may pay out of any funds received from the state, or other source, a service pension in such amount, not exceeding ~~\$40~~ ~~\$100~~ per month, as hereinafter authorized, or as may be provided by its bylaws, to each of its members who has heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of 50 years and who has done or hereafter shall do active duty for 20 years or more as a member of a volunteer, paid or partially paid and partially volunteer, fire department in the municipality where the association exists, and who has been or shall hereafter be a member of such fire department relief association at least ten years prior to such retirement and who complies with such additional conditions as to age, service, and membership as may be prescribed by the certificate or bylaws of the association.

The amount of monthly pension which may be paid to such retired firemen may be increased by adding to the maximum above prescribed an amount not exceeding ~~\$2~~ ~~\$4~~ per month for each year of active duty over 20 years of service before retirement; provided, that no such fire department relief association shall pay to any member thereof a pension in any greater amount than the sum of ~~\$60~~ ~~\$120~~ per month.

Any such fire department relief association where the majority of its members are volunteer firemen may provide in its certificate of incorporation or bylaws for a service pension in an amount not exceeding ~~\$300~~ ~~\$750~~ per year of service to be paid in a lump sum where the retiring member qualifies for a service pension under the provisions hereinbefore set forth.

These pensions shall be uniform in amount, except as herein otherwise provided. No such pension shall be paid to any person while he remains a member of the fire department and no person receiving such pension shall be entitled to other relief from the association. No payments made or to be made by the association to any member on the pension role shall be subject to judgment, garnishment, execution, or other legal process and no person entitled to such payment shall have the right to assign the same, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 3. Notwithstanding any special law enacted and approved in accordance with section 645.021 to the contrary, any municipal volunteer firemen's relief association, when its bylaws or articles of incorporation so provide, may pay service pensions in accordance with the maximums as set forth in section 1 of this act. Provided, however, that nothing in this act shall be construed to exempt any municipal volunteer firemen's relief association from the requirements of sections 69.771 to 69.776."

Further amend the title as follows:

Page 1, strike lines 2-4 and insert "relating to retirement; volunteer firemen's lump sum and monthly benefits; authorizing an increase in fire department relief association lump sum service benefits for the city of Shakopee; amending Minnesota statutes 1974, section 69.06."

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

H. F. No. 1918 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Patton	Stumpf
Berg	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessen
Brataas	Hansen, Mel	Merriam	Perpich, G.	Ueland
Chenoweth	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Jensen	Moe	Renneke	Willet
Conzemius	Keefe, S.	Olhoft	Schmitz	
Doty	Kirchner	Olson, H. D.	Sillers	
Dunn	Kleinbaum	Olson, J. L.	Spear	
Frederick	Kowalczyk	O'Neill	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2041: A bill for an act relating to the elderly; establishing a state policy for older citizens dependent on long-term care and treatment.

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 40 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Laufenburger	Olson, J. L.	Sillers
Borden	Humphrey	Lewis	O'Neill	Spear
Brataas	Keefe, S.	Merriam	Patton	Stokowski
Chenoweth	Kirchner	Milton	Perpich, A. J.	Stumpf
Chmielewski	Kleinbaum	Moe	Perpich, G.	Tennessen
Conzemius	Knutson	Olhoft	Purfeerst	Ueland
Gearty	Kowalczyk	Olson, A. G.	Renneke	Wegener
Hansen, Baldy	Larson	Olson, H. D.	Schaaf	Willet

Messrs. Hansen, Mel; Jensen and North voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 955: A bill for an act relating to mobile homes; providing certain procedures for repossession of mobile homes; amending Minnesota Statutes 1974, Section 336.9-104.

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

Mr. Olson, H. D. asked for unanimous consent to amend.

Mr. Hansen, Baldy objected.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson H. D.	Stokowski
Arnold	Hansen, Mel	McCutcheon	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Merriam	Perpich, G.	Tennessen
Chmielewski	Keefe, J.	Milton	Purfeerst	Wegener
Coleman	Keefe, S.	Moe	Schaaf	Willet
Conzemius	Kleinbaum	North	Schmitz	
Davies	Kowalczyk	Olhoff	Solon	
Fitzsimons	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Bang	Frederick	Kirchner	Olson, J. L.	Renneke
Berg	Hansen, Baldy	Knutson	O'Neill	Sillers
Blatz	Jensen	Ogdahl	Patton	Ueland

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Mr. Olson, H. D. gave notice of intention to move for reconsideration of H. F. No. 955 on April 1, 1976.

SPECIAL ORDER

H. F. No. 2019: A bill for an act relating to controlled substances; scheduling certain substances; amending Minnesota Statutes 1974, Section 152.02, Subdivision 5.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Mel	Kowalczyk	Olson, J. L.	Schrom
Bang	Humphrey	Laufenburger	O'Neill	Sillers
Berg	Jensen	Lewis	Patton	Spear
Chmielewski	Josefson	Merriam	Perpich, A. J.	Stokowski
Coleman	Keefe, J.	Milton	Perpich, G.	Stumpf
Conzemius	Keefe, S.	Moe	Purfeerst	Tennessen
Fitzsimons	Kirchner	North	Renneke	Ueland
Gearty	Kleinbaum	Olson, A. G.	Schaaf	
Hansen, Baldy	Knutson	Olson, H. D.	Schmitz	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Gearty moved that the following members be excused for a Conference Committee on S. F. No. 1963:

Messrs. Gearty; Hansen, Mel and McCutcheon. The motion prevailed.

SPECIAL ORDER

H. F. No. 2414: A bill for an act relating to motor vehicles; motor vehicle excise tax on vehicles purchased for resale; use of motor vehicles bearing motor vehicle dealer plates; amending Minnesota Statutes 1974, Sections 168.27, Subdivision 5; 297B.01, Subdivision 6; and Chapter 297B, by adding a section.

Mr. Olson, A. G. moved to amend H. F. No. 2414 as follows:

Pages 2 and 3, strike Section 3 and insert:

"Sec. 3. Minnesota Statutes 1974, Section 168.27 is amended to read:

168.27 [MOTOR VEHICLE DEALERS.] Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following terms have the meanings given them:*

(1) *"Leasing motor vehicles" means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time.*

(2) *"Brokering motor vehicles" means arranging sales between willing buyers and sellers of motor vehicles and receiving a fee for said service.*

(3) *"Wholesaling motor vehicles" means selling new or used motor vehicles to dealers for resale to the public.*

(4) *"Auctioning motor vehicles" means arranging for and handling the sale of motor vehicles, not the property of the auctioneer, to the highest bidder.*

(5) *"Dealer" includes new motor vehicle dealers, used motor vehicle dealers, brokers, wholesalers, auctioneers and lessors of new or used motor vehicles.*

Subd. 2. No person, partnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling motor vehicles, new or used, or shall offer to sell, solicit or advertise the sale of motor vehicles, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as the registrar may require upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the registrar of the following:

(1) That the applicant has an established place of business; an established place of business when used in this section, means a permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and

selling of motor vehicles will be carried on as such in good faith and not for the purpose of evading this section, and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement;

(2) That if the applicant desires to sell, solicit or advertise the sale of both new and used motor vehicles, he must have a bona fide contract or franchise in effect with a manufacturer or distributor of the new motor vehicle, or new motor vehicles, he proposes to deal in; he shall also have adequate space in the building or structure wherein his business is conducted for the display of motor vehicles, not including house trailers, and, unless he proposes to engage only in the sale of house trailers, shall also provide for the repair and servicing of motor vehicles and the storage of parts and accessories in the city where his business is located and conducted; such service may be provided through contract with bona-fide operators actually engaged in such services. But nothing herein contained shall require an applicant for a dealer's license who proposes to deal in new and unused motor vehicle bodies to have a bona-fide contract or franchise in effect with the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted;

(3) That if the applicant desires only to sell, solicit or advertise the sale of used motor vehicles, he shall have adequate space for the display of motor vehicles either in the building or structure wherein his business is conducted or on a lot adjacent thereto. The registrar in his discretion may authorize the use of a building or lot for display purposes not adjacent to but in close proximity to the building wherein the business is conducted if such use is made in good faith and not for the purpose of evading the requirements of this section. [NEW MOTOR VEHICLE DEALER.] No person shall engage in the business of selling new motor vehicles or shall offer to sell, solicit or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license. A new motor vehicle dealer licensee shall be entitled thereunder to sell, lease, broker, wholesale or auction and to solicit and advertise the sale, lease, broker, wholesale or auction of both new motor vehicles covered by his franchise and any used motor vehicles and such sales or leases may be either for consumer use at retail or for resale to a dealer.

Subd. 2 3 . If a license is granted, the licensee may be permitted to use unimproved lots and premises for sale, storage, and display of motor vehicles. Such unimproved lots and premises must be located within the county of established place of business of the applicant.

If the applicant desires to set up an established place of business in more than one county in this state, he shall secure separate license for each county. No license for such additional county shall be issued until the registrar shall have been furnished with proof that the applicant has an established place of business in

such additional county and has otherwise complied with the requirements of this section for the securing of license in the initial county.

If the licensee desires to remove from the established place of business occupied when the license is granted, to a new location, he shall first secure from the registrar permission to do so. He shall be required to furnish proof satisfactory to the registrar that the premises to which he proposes to remove conform to the requirements of subdivision 1. [USED MOTOR VEHICLE DEALER.] No person shall engage in the business of selling used motor vehicles or shall offer to sell, solicit or advertise the sale of used motor vehicles without first acquiring a used motor vehicle dealer license. A used motor vehicle dealer licensee shall be entitled thereunder to sell, lease, broker, wholesale or auction and to solicit and advertise the sale, lease, broker, wholesale or auction of any used motor vehicles for consumer use at retail or for resale to a dealer.

Subd. 4. [MOTOR VEHICLE LESSOR.] No person shall engage in the business of leasing motor vehicles or shall offer to lease, solicit or advertise to lease motor vehicles without first acquiring a motor vehicle lessor license. A motor vehicle lessor licensee shall be entitled thereunder to lease or rent either by the hour, day or longer period for a fee and to solicit and advertise the lease or rental of motor vehicles.

Subd. 5. [MOTOR VEHICLE BROKER.] No person shall engage in the business of brokering motor vehicles by finding, offering to find, soliciting or advertising for prospective buyers of motor vehicles and charging the seller or buyer a fee for his service without first acquiring a motor vehicle broker license. A motor vehicle broker licensee shall be entitled thereunder to broker and to solicit and advertise the brokerage of used motor vehicles. Brokerage sales shall include sales by consignment and referral.

Subd. 6. [MOTOR VEHICLE WHOLESALER.] No person shall engage in the business of wholesaling motor vehicles to dealers for resale or shall offer to sell, solicit or advertise the sale of motor vehicles to dealers for resale without first acquiring a motor vehicle wholesaler license. A motor vehicle wholesaler licensee shall be entitled thereunder to sell, solicit or advertise the sale of motor vehicles at wholesale for resale.

Subd. 7. [MOTOR VEHICLE AUCTIONEER.] No person shall engage in the business of auctioning motor vehicles for more than one owner at an auction or shall offer to sell, solicit or advertise the sale of motor vehicles at auction without first acquiring a motor vehicle auctioneer license. A motor vehicle auctioneer licensee shall be entitled thereunder to sell, solicit and advertise the sale of used motor vehicles belonging to others at auction.

Subd. 8. [EXEMPTIONS.] (1) Salesmen and other employees of licensed dealers under this section shall not be required to obtain individual licenses.

(2) *Isolated sales or leases of new or used motor vehicles shall be exempt from the provisions of this section.*

Subd. 9. [APPLICATION.] Application for such license and renewal thereof shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as the registrar may require to administer this section, on blanks provided by the registrar for such purpose.

Subd. 10. [PLACE OF DOING BUSINESS.] All licensees under this section shall have an established place of business which shall include as a minimum,

(1) For a new motor vehicle dealer, the following:

(a) a permanent enclosed commercial building on a permanent foundation, owned by the licensee or under lease for not less than one year, with office space in that building where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours;

(b) a bona fide contract or franchise in effect with a manufacturer or distributor of the new motor vehicle or new motor vehicles he proposes to deal in;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services.

(2) For a used motor vehicle dealer the following: a permanent enclosed commercial building on a permanent foundation, owned by the licensee or under lease for not less than one year, and with office space in that building for the books, records and files necessary to conduct the business and maintained with personnel available during normal business hours or automatic telephone answering service during normal working hours.

(3) For a motor vehicle lessor, the following: a permanent enclosed commercial building on a permanent foundation, owned by the licensee or under lease for not less than one year, with office space in that building where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(4) For a motor vehicle broker, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(5) For a motor vehicle wholesaler, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(6) For a motor vehicle auctioneer, the following: a permanent enclosed commercial building on a permanent foundation, owned by the licensee or under lease for not less than one year with office space in that building where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(7) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(8) If a motor vehicle lessor, broker or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required.

Subd. 3 11 . [LICENSES; WHEN GRANTED.] Upon the filing of an application for a license and the proper fee, the registrar shall be authorized, unless the application on its face appears to be invalid, to grant or deny the application for such license within 60 days after the filing of the application a 90 day temporary license and during said 90 day period shall investigate the fitness of the applicant, inspect the site and make such other investigation as is necessary to insure compliance with the licensing law. The registrar may extend the temporary license 30 days. At the end of the period of investigation the license shall either be granted or denied . If the application is ~~granted~~ approved , the registrar shall license the applicant as a motor vehicle dealer for the remainder of the calendar year, and issue a certificate of license therefor as the registrar may provide upon which shall be placed a distinguishing number of identification of such dealer. Each initial application for such a license , shall be accompanied by a fee of \$50 in addition to the annual fee. The annual fee shall be \$76. All initial fees and annual fees and application for the renewal thereof, shall be accompanied by the sum of \$44, which shall be paid into the state treasury and credited to the general fund. If the initial application is received by the registrar after July 1 of any year, the first annual fee shall be reduced by one-half. Such license, unless sooner revoked, as hereinafter provided, shall, upon the furnishing of proof as in the initial application herein provided for, satisfactory to the registrar, be renewed by the registrar annually upon application by the dealer and upon the making of all listings, registrations, notices, and reports required by the registrar, and upon the payment of all taxes, fees, and arrears due from such dealer.

Subd. 4 12 . [GROUNDS FOR SUSPENSION AND REVOCATION.] Such license may be *suspended* or revoked by the registrar of motor vehicles upon proof satisfactory to him of either of the following:

(1) Violations of any of the provisions of this chapter;

(2) Violation of or refusal to comply with the requests and order of the registrar;

(3) Failure to make or provide to the registrar all listings, notices, and reports required by him;

(4) Failure to pay to the registrar all taxes, fees, and arrears due from and by such dealer;

(5) Failure to duly apply for renewal of license provided for herein;

(6) Revocation of previous license, of which the records of the registrar relating thereto shall be prima facie evidence of such previous revocation;

(7) Failure of continued occupancy of an established place of business;

(8) Sale of a new and unused current model motor vehicle other than the make of motor vehicle described in the franchise or contract filed with the original application or renewal thereof, without permission from the registrar;

(9) Sale of a new and unused current model motor vehicle to anyone except for consumer use, or to a dealer duly licensed to sell the same make of motor vehicle; or

(10) Material misstatement or misrepresentation in application for license or renewal thereof ;

(11) *Having advertised, printed, displayed, published, distributed, broadcast or televised or caused or permitted to be advertised, printed, displayed, published, distributed, broadcast or televised in any manner whatsoever, or having made orally any statement or representation with regard to the sale, lease or financing of motor vehicles which is false, deceptive or misleading;*

(12) *Having been convicted of making a fraudulent sale, lease, transaction or repossession or having been convicted of violating any of the provisions of sections 325.78 to 325.79;*

(13) *Having been convicted of violating the odometer law, sections 325.821 to 325.824;*

(14) *Having been convicted of violating the sale of motor vehicles on Sunday law, section 168.275; or*

(15) *Having been convicted of receiving or selling stolen vehicles.*

Subd. 5. (a) The registrar shall issue to every motor vehicle dealer, upon a request from such motor vehicle dealer licensed as provided in subdivision 1, one or more pair of number plates displaying a general distinguishing number upon the payment of \$10 to the registrar. Motor vehicles, new or used, owned by such motor vehicle dealer and bearing such number plates, except vehicles leased to the user, held for hire, or customarily used by the dealer as a tow truck, service truck, or pickup truck, may be driven upon the streets and highways of this state by such motor vehicle dealer, or any employee of such motor vehicle dealer or by any member of the immediate family of such dealer or employee for either private or business purposes; or may be driven upon the

streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new motor vehicle sold by such motor vehicle dealer and bearing the motor vehicle dealer's number plates may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state; or (2) permitting the buyer to use the motor vehicle before he receives number plates pursuant to his own registration. Use of a new motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before he receives number plates pursuant to his own registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles. Upon the delivery of such new motor vehicle to the buyer or upon the delivery of such vehicle or motor truck, truck-tractor, or semi-trailer, new or used, to the prospective buyer for demonstration purposes, the motor vehicle dealer shall deliver to the buyer or prospective buyer, as the case may be, a card or certificate giving the name and address of the motor vehicle dealer, the name and address of such buyer or prospective buyer, and the date and the hour of such delivery. Such card or certificate shall be in such form as the registrar may provide to the motor vehicle dealer for such purpose, and shall be carried by such buyer or prospective buyer while driving the motor vehicle or truck, truck-tractor, or semi-trailer.

Subd. 6. Every licensed dealer in motor vehicles may make application upon a blank provided by the registrar for that purpose for a general distinguishing number for use upon all new motor vehicles being transported from the dealer's source of supply, or other place of storage, to his place of business, or to another place of storage, or from one dealer to another. A general distinguishing number shall be assigned by the registrar to such dealer for such purpose, and the registrar shall then issue to the dealer such number of pairs of such plates as the dealer may request, upon the payment by the dealer to the registrar of the sum of \$2 per pair. Such plates shall be known as "in transit" plates. The registrar may issue such "in transit" plates, upon the payment of the sum of \$2 to the registrar, to dealers duly licensed in other states or provinces upon information furnished him in such manner as he may prescribe, and which satisfies him that persons or companies applying therefor are duly licensed dealers under the laws of such states or provinces.

Subd. 7 13. [PROCEDURE FOR SUSPENSION AND REVOCATION; HEARING.] The registrar of motor vehicles, upon his own motion or upon the complaint of another, shall prepare and cause to be served upon the licensee complained of, a written notice or complaint setting forth, in substance, the violations charged, a statement of the deficiencies which exist and the corrective action necessary. Said notice shall include a statement that in the event corrective action is not taken, the dealer's license may be suspended or revoked. The notice and shall require the licensee to appear at the time and place fixed therein before

the registrar or authorized deputy inspector, and show cause why his license should not be *suspended or revoked*.

The registrar shall, at the time and place fixed in the notice, proceed to hear and determine the matter on its merits. *All hearings shall be conducted in accordance with the provisions of chapter 15, except that the provisions of section 15.052, subdivision 3, shall not apply. The registrar is authorized to subpoena witnesses and administer oaths.* If the registrar shall find the existence of any of the causes for suspension or revocation as set forth in subdivision 4 12 and determine that *corrective action has not been taken* and the licensee's license should be *suspended or revoked*, he the registrar shall ~~make~~ issue a written order to that effect setting out his decision, and a copy of such order shall be served upon such licensee in the manner provided by law for the service of summons in a civil action. *If the registrar finds the dealer has violated any of the provisions of this section but that the nature of said violation or the circumstances thereof are such that a suspension of the license would be adequate, he may, instead of revoking the license suspend it for a period not exceeding 90 days. If he finds the violation does not justify a suspension only, he shall revoke the license.* Upon such a suspension or revocation, if it be a new or used motor vehicle dealer, he said licensee shall immediately return to the registrar all number plates, including any "in transit" plates, in his its possession and its dealer's license certificate.

Subd. 8 14 . [APPEAL TO DISTRICT COURT.] Any party or person aggrieved by such order of suspension, revocation or imposition of a penalty may appeal therefrom to any district court of the state within 15 days after the service of a copy of such order upon the dealer complained of by the service of a written notice of appeal upon the registrar. The person serving such notice of appeal shall, within five days after the service thereof, file the same, with proof of service thereof, with the clerk of the court to which such appeal is taken, and thereupon the district court shall have jurisdiction over the appeal and the same shall be entered upon the records of the district court and be tried therein according to the rules relating to the trial of civil actions in so far as the same are applicable. The complainant before the registrar, if there was one, otherwise the registrar shall be designated as the complainant, and the dealer complained of shall be designated as the defendant. No further pleadings than those filed before the registrar shall be necessary. The findings of fact of the registrar shall be prima-facie evidence of the matters therein stated, and the order shall be prima-facie reasonable, and the burden of proof upon all issues raised by the appeal shall be on the appellant. If the court shall determine that the order appealed from is lawful and reasonable, it shall be affirmed and the order enforced as provided by law. If it shall be determined that the order is unlawful or unreasonable it shall be vacated and set aside. Such appeal shall not stay or supersede the order appealed from unless the court, upon an examination of the order and the return made on the appeal, and after giving defendant notice and opportunity to be heard, shall so direct. When no appeal is taken from such

order, the parties affected thereby shall be deemed to have waived the rights to have the merits of such controversy reviewed by a court, and there shall thereafter be no trial of the merits or reexamination of the facts by any district court to which application may be made from a writ to enforce the same.

Subd. 9. Any party to an appeal or other proceeding in the district court under the provisions of this section may appeal from the final judgment, or from any final order therein, to the supreme court in the same cases and manner as in civil actions seek judicial review pursuant to the provisions of chapter 15 .

Subd. 10 15 . [ENFORCEMENT.] The registrar is hereby authorized to enforce this section and he may also be directed to appoint under his hand a sufficient number of not less than seven persons amongst his several employees, the additional employees not to exceed three in number, to act as inspectors and investigators and who when so appointed, shall have full authority to enforce this section throughout the state . Before entering upon their official duties, the oath of appointment of each of the additional employees shall be filed in the office of the secretary of state. The registrar, his inspectors or investigators, when traveling or otherwise pursuing their duties outside the office of the registrar, shall be paid for their actual expenses incurred out of the same funds as other employees of the registrar of motor vehicles. The inspectors shall assist licensees in compliance with laws governing licensees and administered hereunder.

Subd. 16. [PLATES; DISTINGUISHING NUMBERS; TAX.] (a) The registrar shall issue to every motor vehicle dealer, upon a request from such motor vehicle dealer licensed as provided in subdivisions 2 or 3, one or more pair of number plates displaying a general distinguishing number upon the payment of \$10 to the registrar. In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each pair of dealer plates purchased as required by section 2 of this act. The registrar shall deposit the tax in the state treasury and it shall be credited to the general fund. Motor vehicles, new or used, owned by such motor vehicle dealer and bearing such number plates, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or pickup truck, may be driven upon the streets and highways of this state by such motor vehicle dealer, or any employee of such motor vehicle dealer or by any member of the immediate family of such dealer or employee for either private or business purposes; or may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new or used motor vehicle sold by such motor vehicle dealer and bearing the motor vehicle dealer's number plates may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before he receives number plates pursuant to his own registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before he

receives number plates pursuant to his own registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Subd. 17. [APPLICATION.] Every licensed dealer in motor vehicles may make application upon a blank provided by the registrar for that purpose for a general distinguishing number for use upon all new motor vehicles being transported from the dealer's source of supply, or other place of storage, to his place of business, or to another place of storage, or from one dealer to another. A general distinguishing number shall be assigned by the registrar to such dealer for such purpose, and the registrar shall then issue to the dealer such number of pairs of such plates as the dealer may request, upon the payment by the dealer to the registrar of the sum of \$2 per pair. Such plates shall be known as "in transit" plates. The registrar may issue such "in transit" plates, upon the payment of the sum of \$2 to the registrar, to dealers duly licensed in other states or provinces upon information furnished him in such manner as he may prescribe, and which satisfies him that persons or companies applying therefor are duly licensed dealers under the laws of such states or provinces.

Subd. 18. [TESTIMONIAL POWERS.] The registrar shall have, and is hereby granted full authority to issue subpoenas requiring the attendance of witnesses before him, production of books, papers, and other documents, articles, or instruments, and compel the disclosure by such witnesses of all facts known to them relative to the matter under investigation, and shall have full authority to administer oaths and to take testimony. All parties disobeying the orders of subpoenas of the registrar shall be guilty of contempt, as in proceedings in district courts of the state and may be punished in like manner.

Subd. 19. [VIOLATIONS.] Any person, copartnership, or corporation, domestic or foreign, and any officer, or director, or employee of a corporation, domestic or foreign, who shall violate or neglect, fail or refuse to comply with any of the provisions of this section shall be guilty of a misdemeanor.

Subd. 20. [APPLICATION OF SECTION.] This section shall not apply to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motorized bicycles, motor scooters, motorized wheel chairs, utility trailers, farm wagons, farm trailers, farm tractors or other farm implements whether self-propelled or not, even though such wagons, trailers, tractors or implements may be equipped with a trailer hitch, or to any person licensed as a real estate broker or salesman pursuant to chapter 82, who engages in the business of selling, or who offers to sell, solicits or advertises the sale of mobile homes affixed to land, unless such person, copartnership or corporation shall also be engaged in the business of selling other motor vehicles or mobile homes within the provisions of this section. As used in this subdivision the terms "motorized bicycle" and "utility trailer" shall have the following meaning:

"Motorized bicycle" means a motor powered vehicle consisting of an arrangement or combination of two wheels, one following the other, supported by a frame designed to be propelled by the feet acting upon pedals.

"Utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels and having a carrying capacity of 2000 pounds or less and used for carrying property on its own structure while being drawn by a motor vehicle.

Subd. 14 21 . [ACTS WHICH ARE UNLAWFUL.] It shall be unlawful for any manufacturer or distributor of motor vehicles, or for any officer, employee, agent or representative of such manufacturer or distributor:

(1) To induce or coerce or attempt to induce or coerce any retail dealer:

(a) To accept delivery of any motor vehicle or vehicles, parts or accessories therefor, or any other commodity or commodities which shall not have been ordered by said retail dealer;

(b) To order or accept delivery of any motor vehicle with special features, appliances, accessories or equipment;

(c) To enter into any agreement with such manufacturer or distributor or to do any other act by threatening to cancel any franchise or contractual agreement existing between such manufacturer or distributor and said retail dealer.

(2) To refuse to extend to a dealer the privilege of determining the mode or manner of available transportation facility which said dealer desires to be used or employed in making deliveries of new motor vehicles to him or it.

(3) To cancel or refuse to renew the franchise of any retail dealer or any contractual arrangement between such manufacturer or distributor and the retail dealer without just cause.

(4) To make any charge against a retail dealer for advertising or promotional advertising material without his prior consent.

Subd. 15 22 . [BOAT AND SNOWMOBILE TRAILERS.] Any person, copartnership or corporation having an established place of business as defined in this section and engaged in the business, either exclusively or in addition to any other occupation, of selling boat trailers or snowmobile trailers, may apply to the registrar for a dealer's license. Upon payment of a \$10 fee the registrar shall license the applicant as a dealer for the remainder of the calendar year in which the application was received. Thereafter such license may be renewed on or before the second day of January of each year by payment of a fee of \$10. The registrar shall issue to each such dealer, upon his request, dealer plates as provided in subdivision 5 of this section upon payment of \$3 for each such plate, and such plates may be used in the same manner and for the same purposes as is provided in said subdivision 5. The registrar shall also issue to such dealer, upon his request, "in transit" plates as provided in subdivision 6 of this section upon payment of a fee of \$2 for each such plate. This subdivision shall not be construed to abrogate any of the provisions of this section as the same relates to the duties, responsibilities and requirements of persons, copartnerships or corporations engaged in the business, either exclusively or in addition to other occupations, of selling motor vehicles or mobile homes.

Subd. 23. [REGISTRAR MAY FILE CHARGES.] The registrar or his appointed inspectors may file charges with the county attorney against any licensee who violates any of the provisions of this section, including but not limited to, the grounds for suspension or revocation set out in subdivision 12 of this section. Any violation of this section is a misdemeanor.

Subd. 24. [BONDS.] Each motorcycle dealer licensed hereunder shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in the amount of \$2,500 to run to the State of Minnesota. All other persons licensed hereunder shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in the amount of \$10,000. The bond shall be conditioned on the faithful performance by the licensee of the obligations imposed by the law, including the conduct required of a licensee by section 168.27, and the payment of all taxes, license fees and penalties. Said bond shall be for the benefits of the state of Minnesota and any purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above. Proceedings on the forfeiture of the bonds shall be commenced in the district court of the county wherein the business of the licensed person was carried on, or if in more than one county, the county in which the offense occurred.

Sec. 4. [APPROPRIATIONS.] There is appropriated from the general fund in the state treasury to the commissioner of public safety the sum of \$114,014 to carry out the provisions of this act."

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "defining terms;"

Page 1, line 4, after the semicolon, insert "providing for the licensure and regulation of certain motor vehicle dealers; prescribing penalties; appropriating money;"

Page 1, line 5, strike the last comma

Page 1, line 6, strike "Subdivision 5"

The motion prevailed. So the amendment was adopted.

H. F. No. 2414 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 42 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Mel	Larson	O'Neill	Sillers
Berg	Hughes	Laufenburger	Patton	Spear
Chenoweth	Jensen	Merriam	Perpich, A. J.	Stokowski
Chmielewski	Josefson	Milton	Perpich, G.	Tennessee
Coleman	Keefe, J.	Moe	Purfeerst	Ueland
Conzemius	Kirchner	Olhoff	Renneke	Willet
Dunn	Kleinbaum	Olson, A. G.	Schaaf	
Fitzsimons	Knutson	Olson, H. D.	Schmitz	
Frederick	Kowalczyk	Olson, J. L.	Schrom	

Mr. Hansen, Baldy voted in the negative.

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

SPECIAL ORDER

H. F. No. 1608: A bill for an act relating to legal assistance; providing state aid to certain legal assistance corporations; appropriating money.

Mr. Conzemius moved that the amendment made to H. F. No. 1608 by the Committee on Rules and Administration in the report adopted March 26, 1976, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Tennesen moved to amend H. F. No. 1608 as follows:

Page 2, after line 18, insert:

"Sec. 4. Any person, employee, administrator, or officer of a recipient of the funds hereunder who discriminates on the basis of race, creed, color, religion or national origin is guilty of a gross misdemeanor."

Amend the title in line 3, after "corporations;" by inserting "providing a penalty;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1608 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 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Laufenburger	O'Neill	Sillers
Ashbach	Hansen, Baldy	Lewis	Patton	Spear
Berg	Hughes	Merriam	Perpich, A. J.	Stassen
Chenoweth	Humphrey	Milton	Perpich, G.	Stokowski
Chmielewski	Josefson	Moe	Purfeerst	Stumpf
Coleman	Keefe, J.	North	Renneke	Tennesen
Conzemius	Kirchner	Olhoff	Schaaf	Ueland
Dunn	Knutson	Olson, H. D.	Schmitz	Willet
Fitzsimons	Kowalczyk	Olson, J. L.	Schrom	

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

Without objection, the Senate reverted to the Order of Business of Messages From the House, First Reading of House Bills and Reports of Committees.

MESSAGES FROM THE HOUSE

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. 175: A bill for an act relating to corrections; increasing the scope of jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the

ombudsman; removing an expiration date; appropriating money; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3, and by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

Senate File No. 175 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1976

Mr. Conzemius moved that the Senate do not concur in the amendments by the House to S. F. No. 175 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 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. 1959: A bill for an act relating to health facilities; establishing an office of health facility ombudsman; appropriating money.

Senate File No. 1959 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1976

Mr. Coleman, for Mr. Keefe, S. moved that the Senate do not concur in the amendments by the House to S. F. No. 1959 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 the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1397 and 2254.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 31, 1976

FIRST READING OF HOUSE BILLS

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

H. F. No. 1397: A bill for an act relating to the creation of a legislative advisory task force; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 2254: A bill for an act appropriating money to the commissioner of natural resources for mineland reclamation purposes.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 2096: A bill for an act relating to metropolitan government; changing the metropolitan parks and open space commission to the metropolitan parks, arts and recreation commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the council to impose an admissions tax; authorizing the council to impose a transient lodging tax in the metropolitan area; requiring the completion of an environmental impact statement and pollution control agency permits prior to construction of a new sports facility; authorizing a liquor license for the commission; requiring a certificate of need for regional recreational facilities; amending Minnesota Statutes 1974, Chapter 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 473.121. Subdivisions 7 and 14; 473.147; 473.301; 473.302; and 473.303, Subdivision 1; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 7, is amended to read:

Subd. 7. "Metropolitan commission" means the metropolitan waste control commission, the metropolitan transit commission, and ~~other such commissions as the legislature may hereafter designate the metropolitan parks, arts and recreation commission~~.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 14, is amended to read:

Subd. 14. "Regional recreation open space" means the land and water areas determined by the metropolitan council to be of regional significance in providing for a balanced system of public ~~outdoor~~ recreation for the metropolitan area, including but not limited to park reserves, conservatories, zoos, major linear parks, and large recreation parks.

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 473.147, is amended to read:

473.147 [REGIONAL PARKS, ARTS AND RECREATION POLICY PLAN.] Subdivision 1. The metropolitan council after consultation with the parks, arts and ~~open space recreation~~ commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt a long-range ~~system~~ policy plan for regional recreation open space, ~~and for regional arts and recreation facilities~~, as part of the council's metropolitan development guide. The plan shall substantially conform to ~~sections 8 to 16 and to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council this chapter~~. The policy plan shall

identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. *In addition the plan shall present an analysis of existing regional arts, recreation and sports facilities, identifying the needs of the area for additional types of facilities, and discussing the types of facilities for which no additional need exists.* In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commission. The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development. *include, to the extent appropriate, any of the statements and descriptions listed in section 473.146, subdivision 1, and the plan shall be adopted following the procedures provided in section 473.146, subdivision 2.*

Subd. 2. Before adopting the policy plan, the council shall submit the proposed plan to the parks and open space commission for its review, and the commission shall report its comments to the council within 60 days. The council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and hearing, the council may revise the proposed plan giving appropriate consideration to all comments received and thereafter shall adopt the plan by resolution. An amendment to the policy plan may be proposed by the council or by the parks and open space commission. At least every four years the council shall engage in a comprehensive review of the policy plan, development guide sections, comprehensive plan, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council.

Subd. 2. The policy plan in effect on the effective date of this act shall continue in force and effect until expressly superseded by a policy plan adopted pursuant to this section by the council.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 473.301, is amended to read:

473.301 [DEFINITIONS.] Subdivision 1. As used in sections 473.302 to 473.341 and sections 5 to 17, the terms defined in this section have the meanings given them.

Subd. 2. "Policy plan" means a plan adopted by the council pursuant to section 473.147, generally describing the extent, type

and location of regional recreation open space needed for the metropolitan area and the timing of its acquisition and development.

Subd. 3. "Master plan" means a plan describing the boundaries of specific parks or other regional recreation open space and the nature of their development and use.

Subd. 4. "Commission" means the metropolitan parks, arts and open space recreation commission created by section 473.303.

Subd. 5. "Municipality" means any city or town exercising municipal powers located in the metropolitan area, except where there exists in a city of the first class an elected park and recreation board having control of parks, parkways, playgrounds, and trees, for purposes of sections 473.302 to 473.341, that board shall be considered a municipality.

Subd. 6. "Metropolitan sports area commission" means that commission established by an ownership and operations agreement made and entered into as of August 13, 1954, validated by Laws 1955, Chapter 445, to which the cities are now parties.

Subd. 7. "Metropolitan sports area" means the real estate in the city of Bloomington described in the ownership and operations agreement and all buildings, structures, improvements and equipment thereon, now owned by the cities.

Subd. 8. "Use agreements" means all agreements now in effect entered into by the metropolitan sports area commission on behalf of the cities, providing for the use of the metropolitan sports area or any part thereof by any person, firm or corporation.

Subd. 9. "Cities" means the cities of Minneapolis, Bloomington, and Richfield.

Subd. 10. "Sports facility" means any real, personal, or mixed property used or useful for amateur or professional athletic exhibitions and contests attended by the public, or for instruction, training, and participation in athletics by individual members of the public, or by students at public or private schools and colleges, or by members of athletic associations, which is acquired, leased, or held by the commission primarily for one or more of these purposes.

Subd. 11. "Recreational facility" shall be limited to the facilities specifically described in section 471.191, which have an estimated capital cost of over \$10,000,000.

Subd. 12. "Debt service fund" means the fund from which are payable the principal and interest on all bonds issued or assumed by the council under sections 8 and 10.

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 473.302, is amended to read:

473.302 [LEGISLATIVE POLICY; PURPOSE.] *The legislature finds that the population in the metropolitan area has a need for additional land and facilities for regional parks, arts and recreational activities, and for additional sports facilities and that this need cannot be adequately met by the activities of individual municipalities, agree-*

ments among municipalities, or by the private efforts of the people in the metropolitan area. The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased ; and that there is a need for the development of open space in rural and urban areas. The provision of land and facilities for regional parks, arts and recreation, including sports facilities, will promote the health, safety and general welfare of the inhabitants of the area by enabling them to use and enjoy the parks and open space, arts facilities, and recreational facilities, including sports facilities, and by promoting the economic welfare of the metropolitan area and its inhabitants and industries. It is therefore necessary for the public health, safety and general welfare of the people of the metropolitan area to create a metropolitan parks, arts and recreation commission to carry out the powers and duties enumerated in Minnesota Statutes, Sections 473.302 to 473.341 and sections 5 to 17 . Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 473.303, Subdivision 1, is amended to read:

473.303 [METROPOLITAN PARKS, ARTS AND RECREATION COMMISSION.] Subdivision 1. [GENERAL.] A metropolitan parks , arts and open space recreation commission is established as an agency of the council and shall be organized and structured as provided in this section and section 473.141, subdivisions 6 to 11, 13 and 14 .

Sec. 7. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.350] [GENERAL POWERS.] Subdivision 1. *The commission shall have all powers necessary or convenient to discharge the duties imposed by law, including but not limited to those specified in this section.*

Subd. 2. *The commission may sue and be sued, and shall be a public body within the meaning of chapter 562.*

Subd. 3. *It may acquire by lease, purchase, gift, devise, or eminent domain pursuant to the provisions of Minnesota Statutes, Chapter 117, all necessary right, title, and interest in and to real and person property deemed necessary to the sports facility purposes contemplated by sections 5 to 17, and may construct, equip, improve, operate, manage, and maintain sports facilities, including existing facilities. The power of eminent domain may be exercised by the commission only in connection with the construction of sports and related facilities and for a specific property only upon the approval of the council. Any properties, real or personal, acquired, owned, leased, controlled, used or occupied by the commission for any of the purposes of this act, are declared to be acquired, owned, leased, controlled, used, and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that such properties shall be subject to special assessments*

levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from such improvement.

Subd. 4. The commission may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes, subject to the approval by the council of any sale of real property. The property shall be sold in the manner provided by section 462.325, insofar as practical. The proceeds of sale shall be used as directed by the council, to pay the capital cost of sports facilities or to pay bonds issued by the council for that purpose or bonds upon which it is obligated under the provisions of section 8, subdivision 2.

Subd. 5. The commission may employ persons and contract for services and materials, supplies and equipment as may be necessary to carry out its functions.

Subd. 6. The commission may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. The commission may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with its functions; and may advise and assist the metropolitan council and other governmental units on planning matters within the scope of its powers, duties and objectives.

Subd. 8. The commission and the board of regents of the university of Minnesota may enter into agreements and do all other acts necessary to further the functions prescribed herein.

Subd. 9. The commission may lease, license, or enter into other agreements for the use of part or all of any property or facility under its ownership or control for purposes as will provide athletic, educational, cultural, commercial or other entertainment, instruction or activity for the citizens of the metropolitan area.

Subd. 10. Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with section 471.345; except that the commission with the approval of the council, and without advertisement for bids, may employ a person, firm, or corporation to perform one or more or all of the functions of architect, engineer, construction manager, or contractor for both design and construction, with respect to all or any part of a sports facility project. The commission shall secure surety bonds as required in section 574.26, securing payment of just claims in connection with all public work undertaken by it. Persons entitled to the protection of such bonds may enforce them as provided in sections 574.28 to 574.32, and shall not be entitled to a lien on any property of the commission under the provisions of sections 514.01 to 514.16.

Subd. 11. The commission may appoint advisory committees in the areas of culture and arts, parks and recreation, and sports.

Subd. 12. The commission shall appoint a nine member advisory sports facility building committee with membership as follows: a member representing the commission; a representative of the university of Minnesota; four citizen representatives, three of whom shall reside outside the city in which the facility is situated; and one member of the former metropolitan sports area commission from each of the three cities, to be chosen by the parks, arts and recreation commission. A representative of each professional athletic team which intends to use the facility shall serve as an ex-officio member of the committee. The commission shall seek the advice of the committee on matters relating to the construction of any new sports facility, and may delegate to the committee, or a subcommittee designated by it, such functions as it may determine to be desirable in the supervision of such construction. Upon completion of construction the committee shall be discharged.

Subd. 13. The commission may employ on such terms as it deems advisable persons or firms for the purpose of providing traffic officers to direct traffic on property under the control of the commission, and on the city streets in the general area of the property controlled by the commission. The traffic officers shall not be peace officers and shall not have authority to make arrests for violations of traffic regulations.

Subd. 14. The construction of new sports facilities under this act shall be accomplished under the provisions of sections 7 to 14 and shall not be affected by Minnesota Statutes, 1975 Supplement, Sections 473.161, 473.163, and sections 3, 4, and 15.

Sec. 8. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.351] [OWNERSHIP AND OPERATION OF METROPOLITAN SPORTS AREA.] *Subdivision 1. On the effective date of this act the ownership of the metropolitan sports area is transferred to the commission.*

Subd. 2. The cities and the metropolitan sports area commission shall cause all conveyances and other instruments to be executed, delivered, and recorded on their behalf which the commission, upon advice of counsel, deems necessary or desirable to transfer and convey to it all of the cities' right, title, and interest in and to the metropolitan sports area and all parts thereof and appurtenances thereto. The treasurer of the city of Minneapolis shall remit, endorse, assign and transfer to the treasurer of the commission all moneys and securities credited to the metropolitan sports area fund and the metropolitan sports area bond sinking fund on the city's official books and records under the provisions of the ownership and operations agreement. The metropolitan council shall be and become obligated and shall provide for the payment of the principal and interest thereafter due and payable with respect to the general obligation bonds and revenue bonds issued by the city of Minneapolis under the provisions of the ownership and operations agreement and amendments thereto. For the purpose of making such payments the metropolitan council shall have all the powers and duties conferred upon it by sections 7 to 14 and by chapter 475 with respect to the payment of general obligation bonds issued by the metropolitan council

and interest thereon. The commission shall assume all of the cities' obligations and those of the metropolitan sports area commission under the provision of all use agreements relating to the metropolitan sports area, and the cities and the metropolitan sports area commission shall cause to be executed all such assignments and other documents as the commission, upon advice of the counsel, shall deem necessary or desirable and appropriate to vest all their rights and privileges under such agreements in the commission, provided that nothing herein shall be construed as imposing upon the commission an obligation to the cities and the metropolitan sports area commission, or any of them, to compensate the cities for all or any part of the metropolitan sports area, or to continue to operate and maintain the metropolitan sports area facilities taken over by the commission.

Subd. 3. All persons employed by the metropolitan sports area commission are transferred to the metropolitan parks, arts and recreation commission without loss of right or privilege.

Sec. 9. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.352] [RETIREMENT; ADMINISTRATION; PURCHASES OF PRIOR SERVICE CREDIT.] Subdivision 1. All employees of the commission shall be members of the Minnesota state retirement system with respect to service rendered on or after the effective date of this act, except that temporary employees hired for a period of less than six months and part time employees hired to work less than 30 hours per week shall be excluded from membership in the retirement system if the commission certifies them to the executive director of the retirement system as being temporary or part time employees. Provided, however, that any employee of the commission who was an employee of the metropolitan sports area commission immediately prior to the effective date of this act and who was a member of the public employees retirement association on account of such employment may elect no later than 30 days following the effective date of this act to remain a member of the public employees retirement association. Such election shall be made on forms provided by the commission, and the commission shall give immediate notice of any such elections to the executive directors of the public employees retirement association and the Minnesota state retirement system. Any person who makes such an election shall be excluded from membership in the Minnesota state retirement system with respect to employment by the commission.

Subd. 2. Any permanent full time employee of the commission who was a permanent full time employee of the metropolitan sports area commission prior to the effective date of this act for whom such prior employment was not covered by the public employees retirement association, may obtain allowable service credit in the Minnesota state retirement system by paying to the retirement system (a) an amount equal to four percent of his or her current salary rate multiplied by the days and months of such prior service for which he or she desires to obtain allowable service credit plus (b) a matching amount representing the employer's required contributions, except that the commission may agree to pay such matching amount on behalf of its

employees. Proof of prior permanent full time service and the duration thereof shall be established by the certification of the commission to the executive director of the retirement system. The payments shall be made either in a lump sum or by payroll deduction arranged for on or before July 1, 1977.

Sec. 10. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.353] [DEBT OBLIGATIONS.] Subdivision 1. [BONDS.] The metropolitan council may by resolution authorize the sale and issuance of its general obligation revenue bonds for any or all of the following purposes:

(a) To provide funds for the acquisition or betterment of sports facilities by the commission, including the payment of interest on the bonds for a period not to exceed three years and to fund any reasonably required reserve in the debt service fund, subject to the limitations in subdivision 3;

(b) To refund bonds issued hereunder and bonds upon which the council is obligated under section 8, subdivision 2;

(c) To refund outstanding bonds and other obligations issued or incurred by other governmental units for sports facilities acquired from them by the commission, provided that the council may instead assume liability for the payment of such obligations and interest thereon from its debt service fund in the same manner as bonds of the council; and

(d) To fund judgments entered by any court against the commission or against the council in matters relating to the commission's functions.

Subd. 2. [PROCEDURE.] Such bonds shall be sold, issued, and secured in the manner provided in chapter 475 and this section, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The amount thereof shall not be limited except as provided in subdivision 3 and shall not be included in the net debt of any city, county, or other subdivision of the state for the purpose of any net debt limitation, and no election shall be required.

Subd. 3. [LIMITATION.] Until and unless otherwise provided by law, the principal amount of any bonds issued pursuant to subdivision 1, clause (a) shall be limited to \$47,000,000, and the purpose thereof shall be limited to the acquisition and betterment of a new multipurpose stadium seating approximately 65,000 persons suitable for university and major league baseball and football and for soccer, with adjacent parking facilities for automobiles and road access improvements, and without expenditure of bond proceeds for the acquisition of the site or for the construction or installation of a dome over the playing field; and the council shall not issue any of the bonds in excess of \$2,000,000 until it has determined that:

(a) Professional baseball and football clubs have entered into agreements with the commission to play in the stadium for a period of not less than the term of the longest term bonds that in

the council's judgment it may find it necessary to issue to finance the completion of the stadium; each agreement shall include a provision for arbitration of annual damages through loss of revenues in the event of default, based on average revenues in the years prior to default from the commission's share of gross admissions and concessions, from parking during club activities, and from taxes on admissions to club activities, and payable during the period from the occurrence of the default to the date on which another major league club shall enter into a use agreement with the commission for not less than the then remaining term of the original agreement; provided that such damages shall not exceed in any year an amount sufficient, with other revenues of the commission including admission taxes but excluding any other taxes, to pay all expenses of operation, maintenance, and administration of the stadium and all principal and interest due on the bonds referred to in this section and section 8, subdivision 2, during the same year;

(b) Acceptance by the environmental quality council of the environmental impact statement required in section 13 has been received and all necessary permits have been issued by the pollution control agency;

(c) The stadium and parking and ancillary facilities will be situated within the area designated by the site selection panel under section 15;

(d) The commission has received a grant of funds, or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required to make any payment upon which its acquisition of title to and possession of the site is conditioned and to satisfy any lawsuit related thereto and to pay all costs of clearing the site of all buildings, railroad trackage and other structures, plus any necessary relocation costs;

(e) The commission has acquired title to the site, including all easements and other appurtenances needed for the construction and operation of the stadium, or an order has been entered by a court of competent jurisdiction determining that its taking of the site and appurtenances is necessary and authorized by law and appointing commissioners to assess and award the damages pursuant to section 117.075;

(f) All agreements entered into by the commission are consistent with the purposes of sections 7 to 14, and the council has reviewed plans prepared for the commission in detail sufficient so that the development of final plans and specifications in accordance therewith will assure completion of the project in conformity with said purposes;

(g) The council finds that there are adequate provisions for traffic circulation at the stadium site;

(h) In the considered judgment of the council the proceeds of the bonds will be sufficient to pay the entire cost of the stadium and ancillary facilities, and the revenues that may reasonably be

expected to be received from the sources described in section 11, including but not limited to the playing agreements referred to in clause (a) above, and from investment of the construction fund, and if a site in the city of Minneapolis is selected under section 15, from the sale of any part of the existing metropolitan sports area which is no longer needed, will be sufficient to pay all current expenses of operation, administration, and maintenance of the commission's sports facilities, to pay the principal of and interest on all bonds referred to in this subdivision and in section 8, subdivision 2, when due or called for prior redemption, and to accumulate and maintain an adequate bond reserve; and

(i) The council in determining whether the aforementioned items have been satisfied may require of the lessee professional teams any and all relevant corporate fiscal and financial data, including, but not limited to, profit and loss statements, annual audit statements, and balance sheets.

(j) The requirement in paragraphs (d) and (e) shall apply only to a facility constructed in the city of Minneapolis.

Subd. 4. [SECURITY.] The net revenues from time to time received by the commission from charges for the use of its sport facilities and from the taxes authorized in section 12, in excess of (a) amounts necessary to pay when due the current, reasonable, and necessary expenses of the operation, administration, and maintenance of the sports facilities and the funds and revenues thereof, and (b) reserves authorized by the council to be accumulated and maintained for working capital and for major repairs and replacements, shall be pledged and appropriated to the council's debt service fund to the amounts needed to reduce and if possible cancel the tax otherwise required to be extended and assessed annually upon taxable property by section 475.61. The council is authorized to establish and maintain a reserve in its debt service fund, from bond proceeds or from revenues of the commission, in the amount determined to be necessary and feasible for this purpose. The tax, if required, shall be levied upon all taxable property within the metropolitan area under the jurisdiction of the council, without limitation as to rate or amount.

Subd. 5. [CERTIFICATES OF INDEBTEDNESS.] At any time or times after approval of an annual budget of the commission for operation, administration, and maintenance of its sports facilities, and in anticipation of the collection of the tax and other revenues appropriated in the budget, the council may authorize the issuance, negotiation, and sale, in such form and manner and upon such terms as it may determine, of general obligation certificates of indebtedness in aggregate principal amounts not exceeding 50 percent of the total amount of such appropriations, and maturing not later than three months after the close of the budget year. An amount of the anticipated revenues equal to not less than 105 percent of the amount required to pay the certificates and interest thereon when due shall be reappropriated to a special debt service fund established in the council's financial records, and all revenues received after expenditure or encumbrance of the remaining amount appropriated shall be credited to the fund until the certificates and interest are fully paid. If for any reason the anticipated revenues are insufficient, the certificates and interest shall be paid from the first

tax and other revenues received in the following budget year, and the council shall levy a tax in the amount of the deficiency on all taxable property in the metropolitan area.

Sec. 11. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.354] [FINANCES.] *Subdivision 1. [ADMISSIONS TAX.] Commencing January 1, 1977, the council may by resolution levy, impose, and collect an admissions tax, additional to and not in lieu of any taxes imposed by chapter 297A, upon the granting by any private or public person, association, or corporation, other than the commission, of the privilege of admission to activities conducted on premises owned, operated, or controlled by the commission. Commencing January 1, 1977, no other tax may be levied on such transactions by any other unit of government except the state. The tax shall be stated and charged separately from the sales price so far as practicable and shall be collected by the grantor of admission from the person admitted and shall be a debt from that person to the grantor, and the tax required to be collected shall constitute a debt owed by the grantor to the commission, which debts shall be recoverable at law in the same manner as other debts. Every person, association, or corporation granting such admissions may be required, as provided in resolutions of the council, to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment, and interest on late payments, as shall be deemed necessary or expedient to assure the prompt and uniform collection of the tax. The tax may not exceed three percent of the selling price; except that the tax upon admissions to activities conducted in the stadium referred to in section 10, subdivision 3, may be imposed at rates not to exceed ten percent of the selling price. The tax imposed by this subdivision shall be paid by the commission into the debt service fund.*

Subd. 2. [ON-SALE LIQUOR TAX.] The council is authorized to impose a tax, supplemental to the general sales and use taxes imposed in chapter 297A, and to the excise taxes imposed in chapter 340, in the amount of one percent on all sales within the metropolitan area of intoxicating liquor and fermented malt beverages, at licensed on-sale liquor establishments, as those terms are defined in chapter 340. The tax shall be effective as of June 1, 1976, and shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions, and the collections thereof, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the commission to be distributed as provided in section 13. When necessary to provide sufficient revenues to meet the obligations of the debt service fund, the council may increase the rate of this tax to two percent.

Subd. 3. [RENTALS, FEES, CHARGES, AND CONTRACTS.] The commission is authorized to fix, alter, charge, and collect rentals, fees, and charges to all private and public persons, associations, and corporations, for the use, occupation, and availability of all premises owned, operated, or controlled by it and all facilities situated thereon, and to enter into contracts respecting such rentals, fees, and charges. The amounts thereof shall be those estimated to be necessary and feasible

to produce so far as possible, with revenues from other sources, the amounts needed for current operation, maintenance, and debt service. All such rentals, fees, charges, and contracts shall be submitted to the council in accordance with section 473.163. Any contract may provide that the other contracting party shall have exclusive or nonexclusive use of such areas at such times, and shall be responsible for such performance and the payment of such costs of operation and maintenance thereof, as may be agreed.

Subd. 4. [GENERAL.] The commission shall receive and account for all tax and other revenues referred to in this section and from such revenues shall provide, contract, and pay for proper operation and maintenance of all of its property and facilities, and shall maintain a reserve for working capital as authorized by the council, and shall remit to the council for deposit in its debt service fund, at times required by resolutions of the council, the net revenues in excess of these requirements; provided that the council may by such resolutions authorize the retention also of a reserve for major repairs, replacements, and improvements.

Sec. 12. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.355] [ENVIRONMENTAL IMPACT STATEMENT.] *Subdivision 1. Environmental impact statements fulfilling the requirements of section 116D.04 shall be completed for each stadium site specified in section 15, subdivision 1, within ten months of the effective date of this act. Each environmental impact statement shall include a study of the costs and methods for the control of traffic within and immediately outside of the stadium site. The environmental impact statements shall be prepared by the commission. The commission shall contract for the preparation of the statements. The draft environmental impact statements shall be submitted to the environmental quality council within 120 days of the effective date of this act. The provisions of this section shall apply to the construction of a new multi-purpose sports facility by the commission, notwithstanding any contrary provisions of section 116D.04 or any regulations issued pursuant thereto.*

Subd. 2. The pollution control agency shall take final action to approve or deny any permits necessary for the construction of a new sports facility for each stadium site specified in section 15, subdivision 1, within ten months following the effective date of this act.

Subd. 3. The commission, in coordination with the highway department, shall conduct a study of the estimated capital costs of construction or modification of any roads or highways necessitated by the construction of a new stadium. The study shall be completed within six months of the effective date of this act.

Sec. 13. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.356] [DISTRIBUTION OF TAX.] *Subdivision 1. The legislature finds that cultural and artistic institutions with headquarters in the metropolitan area serve the regional public interest by enhancing the educational environment and improving the living conditions; that these cultural institutions have a substantial*

economic impact in the communities served by them; and that these institutions should be provided with means to assist them in maintaining facilities with which to provide services to the public. The legislature further declares that certain regional cultural and artistic institutions enumerated in this section are particularly essential for the public interest of the metropolitan area.

Subd. 2. The collections remitted to the commission under section 11, subdivision 2, shall be distributed as follows: (a) Prior to July 1, 1977, the collections remitted to the commission shall be deposited in the debt service fund;

(b) Commencing July 1, 1977, the commission shall distribute, pursuant to subdivision 3, an amount of the collections remitted equal to the collections from an on-sale liquor tax of one percent, subject to the limitations in paragraph (c);

(c) When the collections remitted to the commission are needed to pay the principal and interest on obligations issued under section 8, subdivision 2, or section 10, the commission shall first deposit in the debt service fund that portion of the tax authorized in section 11, subdivision 2, over and above the portion to be distributed under paragraph (b); provided that when the obligations of the debt service fund cannot be met without the use of all or a portion of the collections to be distributed under paragraph (b), the collections to be distributed under paragraph (b) may be used to fulfill the obligations under the debt service fund;

(d) Provided that in any year the commission may use up to \$50,000 of the collections remitted for the operating expenses of the commission.

Subd. 3. Any amount of the revenues remaining after payment under subdivision 2 shall be available to cultural and artistic institutions headquartered in the metropolitan area for operation and maintenance costs of their facilities, or the facilities in which they perform. The revenues shall be allocated by the commission on a quarterly basis according to the following percentages:

	Percent
<i>The Minneapolis Society of Fine Arts, for The Minneapolis Institute of Arts, 15 percent, and the Children's Theatre Company, 10 percent</i>	25
<i>The St. Paul Ramsey Arts and Sciences Council for the Arts and Sciences Council, 19 percent, and the St. Paul Philharmonic Society, 2 percent, except that the funding for the Philharmonic Society by the Arts and Sciences Council may not be reduced by the amount provided in this section</i>	21
<i>The Walker Art Center</i>	10
<i>The Guthrie Theatre</i>	11
<i>Minnesota Orchestral Association for Orchestra Hall</i>	14
<i>Minnesota Museum of Art</i>	2

Como Zoo and Conservatory 13

Revenue to be distributed by the commission on the basis of paid attendance to nonprofit cultural and artistic institutions who meet the following criteria: 2

(1) a non profit corporate existence for at least five years, (2) a total paid attendance in the previous calendar year of at least 20,000 persons, and (3) headquarters in the metropolitan area

Revenue to be distributed to the above named cultural and artistic organizations by the commission to subsidize the use of performance space for cultural and artistic organizations who have received a grant from the state arts board within the three prior calendar years 2

Sec. 14. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.357] [LIQUOR LICENSE.] A single on-sale license may be issued by the commission for the sale of intoxicating liquors in sports facilities owned or controlled by the commission. The license issued under this section shall be for a single sports facility building, and shall not be included in the number of licenses within the city in which the sports facilities are located for the purposes of any law or charter provision limiting the number of on-sale licenses within the city. In addition, notwithstanding any provision of law or city charter to the contrary, on-sale licenses for the sale of intoxicating liquor may be issued to establishments on land now known as the metropolitan sports area owned by the commission and which is used primarily for sports and recreational purposes, upon payment of the regular on-sale license fee therefor to the municipality wherein the licensed premises are located, and such license shall authorize the sale of intoxicating liquor to club members and guests only.

Sec. 15. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.358] [ARBITRATION PANEL.] Subdivision 1. An arbitration panel shall be created to determine the location and general design specifications for a new multi-purpose sports facility in the metropolitan area.

The panel shall select one of two sites: a) the metropolitan sports area and the area adjacent thereto; or b) the area within three-fourths of a mile of the intersection of 12th avenue and second street in the city of Minneapolis. The panel shall be composed of three impartial members appointed by the governor.

Subd. 2. The panel may contract for staff and consultant services as needed to perform its duties.

Subd. 3. The commission shall provide funds to the panel, to accomplish the purpose of this section, from the proceeds of bonds issued pursuant to section 10, subdivision 1, clause (a).

Subd. 4. The general design specifications for the sports facility

shall at least meet the minimum general design specifications listed in Appendix A of the report of the state planning agency, entitled "A Report on Sport Stadium Proposals" and dated February, 1976.

Subd. 5. The panel shall hold a series of hearings in both outstate and metropolitan Minnesota. The hearings shall be open to the public and shall be held after appropriate public notice. The purpose of the hearings is to receive public testimony on all factors relating to the choice of location for the facility.

Subd. 6. Within 30 days following the acceptance by the environmental quality council of the environmental impact statements required by section 12, the arbitration panel shall, by a majority vote, make a site selection. Their decision shall be reported to the legislature, the governor, the commission, and the metropolitan council. In making their decision, the panel shall consider all relevant factors bearing on the site selection, including but not limited to the environmental impact statements and highway study required in section 12, the design features unique to each site, and the testimonies at the public hearings.

Sec. 16. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.358] [CERTIFICATE OF NEED FOR NEW REGIONAL RECREATION FACILITIES.] Subdivision 1. The council shall, subject to chapter 15, promulgate regulations governing the issuance of a certificate of need for regional recreation facilities. The regulations shall provide for the manner in which a local governmental unit, or agency thereof, may apply for a certificate of need, and for the process by which the council shall review the applications. The regulations shall include the factors to be considered in a decision whether to accept or reject an application for a certificate of need. Those factors shall include:

(a) The need for particular types of regional recreation facilities in the metropolitan area;

(b) The extent to which this need can be met by existing regional recreation facilities;

(c) The relationship between the proposed facilities and other existing and proposed facilities in the metropolitan area;

(d) The level of governmental subsidy required to support the proposed facility.

Subd. 2. No regional recreation facility may be constructed or altered unless a certificate of need has been issued for the proposed facility by the council.

Sec. 17. [BLOOMINGTON; TAX LEVY.] Subdivision 1. The city of Bloomington may add to the levy base determined for the purposes of Minnesota Statutes, Section 275.50 to 275.56, an amount equal to the revenue derived by the city in calendar year 1975 from the city tax imposed on tickets sold for admission to activities conducted at the metropolitan sports area.

Sec. 19. [SALE OF METROPOLITAN SPORTS AREA LAND.]

Following the completion of the new sports facility under sections 8 to 16, the commission may sell up to 100 acres of the land at the metropolitan sports area, in a single parcel, or in smaller parcels, over a period of years. In the event that the approximately 47 acres of land retained by the commission at the metropolitan sports area is no longer used for a public purpose, the commission shall transfer all right, title, and interest to the real property to the cities of Bloomington and Richfield, in proportion to their population at the most recent federal decennial census, and shall cause all conveyances and other instruments to be executed, delivered, and recorded on their behalf which the commission, upon advice from counsel, deems necessary or desirable to transfer and convey to the city all of the commission's right, title, and interest in the real property. This section shall apply only if the arbitration panel in section 15 determines that a Minneapolis site will be used.

Sec. 20. *Minnesota Statutes 1974, Section 340.11, Subdivision 11a, is repealed.*

Sec. 21. *This act shall apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and shall be effective on the day following final enactment.*

Amend the title as follows:

Page 1, line 9, after "a" strike "transient lodging tax" and insert "tax on the sale of on-sale liquor"

Page 1, line 13, after "facility;" insert "establishing a panel to select a site;"

And when so amended the bill do pass. Mr. Berg questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Keefe, S. moved that the following members be excused for a Conference Committee on H. F. No. 2043:

Messrs. Keefe, S.; Olson, A. G. and Stassen. The motion prevailed.

RECONSIDERATION

Mr. Humphrey moved that the vote whereby H. F. No. 101 failed to pass the Senate on March 30, 1976, be now reconsidered. The motion prevailed.

H. F. No. 101: A bill for an act relating to insurance; establishing certain compulsory insurance for aircraft; providing penalties; amending Minnesota Statutes 1974, Sections 60A.081; 360.59, by adding a subdivision; 360.91; and Chapter 360, by adding sections.

H. F. No. 101 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 38 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Kowalczyk	Olhoft	Spear
Arnold	Humphrey	Larson	Olson, A. G.	Stassen
Borden	Josefson	Laufenburger	Patton	Stokowski
Chenoweth	Keefe, J.	Lewis	Perpich, A. J.	Stumpf
Chmielewski	Keefe, S.	Merriam	Perpich, G.	Tennessee
Coleman	Kirchner	Milton	Purfeerst	Willet
Conzemius	Kleinbaum	Moe	Schaaf	
Hansen, Baldy	Knutson	North	Schmitz	

Those who voted in the negative were:

Ashbach	Blatz	Ogdahl	O'Neill	Sillers
Bang	Dunn	Olson, H. D.	Renneke	Ueland
Berg	Frederick	Olson, J. L.	Schrom	
Bernhagen	Jensen			

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Perpich, A. J. moved that the following members be excused for a Conference Committee on S. F. No. 1615:

Messrs. Willet, Milton and Perpich, A. J. The motion prevailed.

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.

MEMBERS EXCUSED

Mr. Sillers was excused from the Session of today at 5:15 o'clock p.m.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 2144, No. 21 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2144: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

Mr. Laufenburger moved that the amendment made to H. F. No. 2144 by the Committee on Rules and Administration in the report adopted March 29, 1976, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Tennessee moved to amend H. F. No. 2144 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivision 1c, as amended by Laws 1976, Chapter 39, Section 2. is amended to read:

Subd. 1c. [FARM TRUCKS.] On farm trucks, the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed by subdivision 1e under Schedule I during each of the first six years of vehicle life, but in no event less than \$10 \$25 , and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11 \$15 . In addition to such gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semitrailer shall be taxed an annual flat rate fee of \$10.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivision 1e, as amended by Laws 1976, Chapter 39, Section 3, is amended to read:

Subd. 1e. [TRUCKS; TRACTORS; COMBINATIONS; EXCEPTIONS.] On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semitrailer combinations except those defined as farm combinations and urban combinations, the tax based on total gross weight during the first six years of vehicle life shall be graduated according to Schedule I of the Minnesota base rate prescribed in this subdivision, but in no event less than \$28 \$36 , and during the seventh and succeeding years of vehicle life the tax shall be graduated according to Schedule II of this subdivision, but in no event less than \$17 \$23 .

MINNESOTA BASE RATE

Scheduled taxes include five percent
surtax provided for in section 168.013,
subdivision 14

TOTAL GROSS WEIGHT IN POUNDS		SCHEDULE I Tax		SCHEDULE II Tax	
A	0 - 1,500	\$	5.00	\$
B	1,501 - 3,000		9.00	
C	3,001 - 4,500		14.00		8.00 10.00
D	4,501 - 6,000		19.00		11.00 15.00
E	6,001 - 9,000		28.00		17.00 23.00
F	9,001 - 12,000		39.00		23.00 31.00
G	12,001 - 15,000		62.00		37.00 47.00
H	15,001 - 18,000		80.00		52.00 66.00
I	18,001 - 21,000		114.00		68.00 84.00
J	21,001 - 27,000		158.00		95.00 139.00
K	27,001 - 33,000		230.00		138.00 192.00
L	33,001 - 39,000		320.00		192.00 260.00
M	39,001 - 45,000		420.00		252.00 302.00
N	45,001 - 51,000		540.00		324.00 370.00
O	51,001 - 57,000		690.00		414.00 466.00
P	57,001 - 63,000		820.00		498.00 560.00
Q	63,001 - 69,000		970.00		582.00 656.00
R	69,001 - 75,000		1,050.00		630.00 836.00
			1,364.00		

For each vehicle with a gross weight in excess of 75,000 pounds the tax shall be \$36 for each ton or fraction thereof in excess of 75,000 pounds, subject to provisions of section 168.013, subdivision 12.

Provided however, that on all trucks, except those in this chapter defined as farm trucks and urban trucks, having a gross weight in excess of 18,000 pounds but less than 27,001 pounds, the tax shall be:

(a) For the registration year 1976, 70 percent of the applicable Schedule I or Schedule II of this subdivision;

(b) For the registration year 1977, 80 percent of the applicable Schedule I or Schedule II of this subdivision;

(c) For the registration year 1978, 90 percent of the applicable Schedule I or Schedule II of this subdivision;

(d) For the registration year 1979 and thereafter, 100 percent of the applicable Schedule I or Schedule II of this subdivision.

On vehicles having a gross weight in excess of 27,000 pounds, and used for the transportation of livestock or unprocessed and raw farm products shall be taxed at 90 percent of the Minnesota base rate prescribed by this subdivision under Schedule I during each of the first six years of vehicle life and during the seventh and succeeding years of vehicle life as taken from Schedule II, provided the gross receipts derived from such use equal or exceed 60 percent of the owner's total gross receipts from the operation of such vehicle during the 12 month period immediately preceding the date set by law for the reregistration of such vehicle. The owner shall furnish such information as the registrar may require, including sworn statements of fact, and the registrar shall thereupon determine whether such owner comes within the provisions of this paragraph.

If an owner has not used such vehicle for the transportation of livestock or unprocessed and raw farm products so as to be able to report gross receipts for the 12 month period as herein set forth, he may, nevertheless, apply for registration hereunder and pay the reduced tax and the registrar shall, after consideration of the established facts, determine whether such owner is entitled to have such registration approved.

If an owner fails to operate under the conditions and limitations herein set forth, he shall immediately notify the registrar of such fact and pay the difference between the scheduled gross weight tax and the reduced tax proportionate to the number of months remaining in the year, $1/12$ of the difference for each month or fraction thereof, beginning with the month in which such operations were discontinued or changed.

If an owner first uses such vehicle for the transportation of livestock and unprocessed and raw farm products after the tax becomes due without reduction, no adjustment of refund of tax shall be made during that calendar year for reasons of transporting livestock and unprocessed and raw farm products.

All truck-tractors except those herein defined as farm and urban truck-tractors shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of such truck-tractor and any semi-trailer or semitrailers which the

applicant proposes to combine with the truck-tractor. In addition, to such gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed in annual flat fee of \$10.

Urban trucks include only all trucks and all truck-tractors and semi-trailers used exclusively in transporting property within the metropolitan area consisting of Hennepin, Ramsey, Scott, Dakota, Anoka, Washington and Carver counties, or within the corporate limits of any city or contiguous cities or within one mile of cities of the first and second class. For the purposes of this clause a land area ceded to the United States of America under General Laws 1889, Chapter 57, is a statutory city. The vehicle shall not be operated outside the metropolitan area or corporate limits of such city or contiguous cities, or beyond one mile of cities of the first and second class, except that the registrar may, by special permit, authorize the permanent removal of such vehicle from any registration area to another. The license plates issued therefor shall be plainly marked. On urban trucks and combinations the tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in this subdivision under Schedule I during each of the first six years of vehicle life, but in no event less than \$19 \$25 , and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11 \$15 . In addition to such gross weight tax imposed on the truck-tractor, each semitrailer shall be taxed an annual flat fee of \$10. Provided that on vehicles used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consist of at least 60 percent obtained solely from local cartage carriage, shall be taxed at 90 percent of the prescribed urban truck and combination rates for the life of the vehicle during each year such vehicle is used, provided that the gross revenues obtained from transportation services is obtained from local cartage carriage is at least 60 percent of all revenue obtained from transportation services by said person; and provided further, that said tax shall in no event be less than \$10.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivision 1g, as amended by Laws 1974, Chapter 406, Section 28, and by Laws 1976, Chapter 39, Section 4, is amended to read:

Subd. 1g. [RECREATIONAL VEHICLES.] Selfpropelled recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight at 100 percent of the Minnesota base rate prescribed in subdivision 1e of this section under Schedule I during each of the first six years of vehicle life, but in no event less than \$14 \$18 , and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$8 \$10 .

Towed recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight at 30 percent of the Minnesota base rate prescribed in subdivision 1e of this section under Schedule I but in no event less than \$5.

The annual tax on a slip-in camper as defined in section 168.011,

subdivision 25, shall be as provided for selfpropelled recreational vehicles unless such owner elects to register such slip-in camper as a truck. If the owner elects to register such slip-in camper as a truck, the annual tax shall be either the tax imposed for selfpropelled recreational vehicles or the tax imposed for trucks on the basis of gross weight in subdivision 1e, whichever is higher. Notwithstanding any law to the contrary, all trailers and semitrailers taxed pursuant to this section shall be exempt from any wheelage tax now or hereafter imposed by any political subdivision or political subdivisions.

Sec. 4. [TRUNK HIGHWAY BONDS; ISSUANCE AND SALE.] *The commissioner of finance upon request of the commissioner of highways shall issue and sell trunk highway bonds in the aggregate principal amount of \$56,000,000 in the manner, upon the terms and subject to the limitations prescribed by sections 167.50 to 167.52 and by the Constitution, Article XI, Sections 4 to 7, and Article XIV, Sections 6 and 11, at the times and amounts requested by the commissioner of highways. No principal amount greater than \$28 million shall be issued in any fiscal year. The proceeds of the bonds shall be used solely for construction and reconstruction of key bridges and bridge approaches on the trunk highway system, including interstate routes.*

Sec. 5. [EFFECTIVE DATE.] *Sections 1 to 3 are effective November 15, 1976, for the vehicle registration year 1977 and subsequent years. Section 4 is effective January 1, 1977."*

Amend the title as follows:

Page 1, strike lines 2 to 7, and insert:

"relating to transportation; providing increases in the Minnesota base rate schedule for vehicle registration tax; authorizing the issuance and sale of trunk highway bonds for the construction and reconstruction of bridges on the trunk highway system; amending Minnesota Statutes 1973 Supplement, Section 168.013, subdivisions 1c, 1e, and 1g, as amended."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 11 and nays 29, as follows:

Those who voted in the affirmative were:

Chenoweth	Jensen	Merriam	Spear	Stumpf
Coleman	Keefe, J.	Schaaf	Stokowski	Tennessen
Davies				

Those who voted in the negative were:

Arnold	Chmielewski	Josefson	Olhoft	Renneke
Ashbach	Conzemius	Kirchner	Olson, H. D.	Schmitz
Bang	Dunn	Kleinbaum	Olson, J. L.	Schrom
Berg	Fitzsimons	Larson	O'Neill	Solon
Bernhagen	Frederick	Laufenburger	Patton	Ueland
Brown	Hansen, Baldy	Nelson	Purfearst	

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

Mr. Schaaf moved to amend H. F. No. 2144 as follows:

Page 2, line 28, strike "highways" and insert "transportation"

Page 2, line 29, strike "director of planning" and insert "commissioner"

Page 3, line 5, strike "highways" and insert "transportation"

Page 3, line 6, strike "director of planning" and insert "commissioner"

Page 3, line 29, strike "state planning" and insert "department of transportation"

Page 3, line 30, strike "agency"

Page 4, line 10, strike "highways" and insert "transportation"

Page 8, after line 5, insert a new section to read:

"Sec. 3. Minnesota Statutes, 1975 Supplement, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~nine~~ ten cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 4. *The increased tax imposed by section 6 applies to all gasoline, and special fuels as defined in section 296.01, subdivision 6, in distributor storage on January 1, 1977.*"

Page 9, strike section 4 and insert a new section to read:

"Sec. 6. [EFFECTIVE DATE.] *This act, except for sections 3 and 4, is effective the day following proclamation by the governor of the adoption of the constitutional amendment proposed to the people by Laws 1975, Chapter 203, Sections 25 and 26. Sections 3 and 4 are effective January 1, 1977. If the constitutional amendment is not adopted, this act in its entirety is void.*"

Renumber the sections in sequence

Underline all new language

Amend the title as follows:

Page 1, line 7, after "constitution" insert "; providing an increase in the gasoline excise tax; amending Minnesota Statutes, 1975 Supplement, Section 296.02, Subdivision 1"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 13 and nays 34, as follows:

Those who voted in the affirmative were:

Coleman	Humphrey	Lewis	Spear	Tennessen
Davies	Keefe, J.	Merriam	Stokowski	
Hughes	Keefe, S.	Schaaf	Stumpf	

Those who voted in the negative were:

Arnold	Brown	Jensen	Moe	Purfeerst
Ashbach	Chmielewski	Josefson	Nelson	Renneke
Bang	Conzemius	Kirchner	Olson, H. D.	Schmitz
Berg	Dunn	Kleinbaum	Olson, J. L.	Schrom
Bernhagen	Fitzsimons	Knutson	O'Neill	Stassen
Blatz	Frederick	Larson	Patton	Ueland
Borden	Hansen, Baldy	Laufenburger	Perpich, G.	

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

Mr. Frederick moved to amend H. F. No. 2144 as follows:

Page 2, line 5, strike "proceeds of Minnesota state transportation"

Page 2, line 6, strike everything before "money"

Page 2, line 13, strike "the purposes for which the" and insert "June 30, 1982, when this fund shall expire."

Page 2, strike lines 14 to 22

Page 2, line 23, strike "fund."

Pages 4 to 8, strike Section 2 in its entirety

Page 8, line 6, strike "AND BOND AUTHORIZATIONS"

Pages 8 and 9, strike Subdivision 2 in its entirety and insert new subdivisions to read:

"Subd. 2. Notwithstanding the provisions of section 297B.09 or any other law to the contrary the state treasurer shall deposit the proceeds of the excise tax on the purchase price of motor vehicles imposed by section 297B.02 in the Minnesota state transportation fund for expenditure in accordance with this section and section 1.

Subd. 3. The appropriations made in this section shall expire June 30, 1982."

Page 9, line 5, strike "Sections 1 and 2 are" and insert "This act is"

Page 9, strike line 6

Re number the sections in sequence

Amend the title as follows:

Page 1, strike lines 6 and 7 and insert "providing that the proceeds of the excise tax on the purchase price of motor vehicles be deposited in the Minnesota transportation fund."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 32 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Josefson	Nelson	Stassen
Ashbach	Davies	Keefe, J.	Olson, J. L.	Stokowski
Bang	Dunn	Kirchner	O'Neill	Stumpf
Berg	Fitzsimons	Knutson	Patton	Ueland
Bernhagen	Frederick	Kowalczyk	Renneke	
Blatz	Hansen, Baldy	Larson	Schaaf	
Brataas	Hanson, R.	Merriam	Spear	

Those who voted in the negative were:

Arnold	Hughes	Laufenburger	Olson, A. G.	Schmitz
Borden	Jensen	Milton	Olson, H. D.	Wegener
Chmielewski	Keefe, S.	Moe	Purfeerst	
Conzemius	Kleinbaum			

The motion prevailed. So the amendment was adopted.

H. F. No. 2144 was then progressed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that S. F. No. 1780 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Borden moved that the Senate concur in the amendments by the House to S. F. No. 1780 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1780: A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes, 1975 Supplement, Section 52.04.

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

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

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Schaaf
Arnold	Davies	Keefe, J.	Olhoft	Schmitz
Bang	Dunn	Keefe, S.	Olson, A. G.	Solon
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Frederick	Knutson	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Stumpf
Borden	Hanson, R.	Laufenburger	Patton	Tennessen
Brown	Hughes	Lewis	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Purfeerst	
Coleman	Jensen	Moe	Renneke	

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

RECONSIDERATION

Mr. Tennessen moved that the vote whereby H. F. No. 25 failed to pass the Senate on March 29, 1976, be now reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Thursday, April 1, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate