

TWENTY-SECOND DAY

St. Paul, Minnesota, Thursday, March 10, 1977

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rabbi Bernard Raskas.

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

Anderson	Engler	Laufenburger	Olson	Solon
Ashbach	Frederick	Lessard	Penny	Spear
Bang	Gearty	Lewis	Perpich	Staples
Benedict	Gunderson	Luther	Peterson	Stokowski
Bernhagen	Hanson	McCutcheon	Purfeerst	Strand
Borden	Hughes	Menning	Renneke	Stumpf
Brataas	Humphrey	Merriam	Schaaf	Tennessee
Chenoweth	Jensen	Milton	Schmitz	Ueland, A.
Chmielewski	Johnson	Moe	Schrom	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sikorski	Willet
Dunn	Knutson	Olhoft	Sillers	

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

Messrs. Kleinbaum, Knoll and Pillsbury were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Vega, Luther and Mrs. Brataas introduced—

S. F. No. 662: A bill for an act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding

subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Frederick and Bang introduced—

S. F. No. 663: A bill for an act relating to taxation; providing a corporate income tax deduction equal to the federal investment credit; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson, Willet, Moe, Renneke and Kirchner introduced—

S. F. No. 664: A bill for an act relating to state government; changing the duties of the legislative commission on Minnesota resources and providing for the personnel thereof; eliminating certain conservation work projects and land acquisition programs; amending Minnesota Statutes 1976, Sections 86.06; 86.08, Subdivision 2; 86.10, Subdivision 1; and 86.53; repealing Minnesota Statutes 1976, Sections 86.07, Subdivision 2; 86.11, Subdivisions 1, 2, 4, 7, 8 and 9; 86.31; 86.32; 86.33; 86.34; 86.35; 86.41; 86.42; and 86.51.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet, Hanson, Johnson, Olson and Engler introduced—

S. F. No. 665: A bill for an act relating to pollution; prohibiting littering; prescribing the powers and duties of the commissioner of transportation in regard thereto; requiring litter bags in certain vehicles and watercraft and litter receptacles in public places; prescribing a litter license fee on certain manufacturers, wholesalers, distributors, and retailers; prescribing penalties; appropriating money; repealing Minnesota Statutes 1976, Sections 169.42; and 609.68.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff, Bernhagen and Renneke introduced—

S. F. No. 666: A bill for an act relating to taxation; providing an alternative valuation of certain family farm or business property in estates for inheritance tax purposes; amending Minnesota Statutes 1976, Chapter 291, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Knoll, Stokowski, Kirchner and Ogdahl introduced—

S. F. No. 667: A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the issuance and security of limited general obligation and revenue bonds to finance the program.

Referred to the Committee on Local Government.

Messrs. Borden, Kleinbaum, Knoll, Milton and Ogdahl introduced—

S. F. No. 668: A bill for an act relating to financial institutions; regulating lenders of conventional mortgage loans; regulating mortgages and escrow accounts; requiring registration and reporting; regulating installment loans; abolishing a usury exception; providing a penalty; amending Minnesota Statutes 1976, Sections 47.20; 48.153; and 334.06.

Referred to the Committee on Commerce.

Messrs. Anderson, Humphrey, Borden, Menning and Ogdahl introduced—

S. F. No. 669: A bill for an act relating to energy; extending the life of the Minnesota energy agency; further defining large energy facility; requiring promulgation of certain energy conservation standards; revising certain requirements; prescribing penalties; amending Minnesota Statutes 1976, Chapter 116H, by adding sections; and Sections 116H.02, Subdivision 5; 116H.07, Subdivision 1; 116H.12, Subdivision 5; 116H.121; 116H.124; 116H.126; and 116H.13, Subdivision 4; repealing Laws 1974, Chapter 307, Section 19.

Referred to the Committee on Energy and Housing.

Messrs. Sieloff and Davies introduced—

S. F. No. 670: A bill for an act relating to automobile insurance; changing priority of certain benefits; requiring certain premium reductions; providing income loss coverage to disabled unemployment compensation recipients; amending Minnesota Statutes 1976, Sections 65B.44, Subdivision 3; 65B.61; and 65B.70, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Solon, Ashbach and Keefe, S. introduced—

S. F. No. 671: A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees;

banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding a subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

Referred to the Committee on Commerce.

Messrs. Lewis, Kirchner, Knutson, Vega and Sikorski introduced—

S. F. No. 672: A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1976, Sections 123.39, Subdivision 13; 252.21; 252.22; 252.23; 252.24; 252.25; and 252.26.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Willet, Peterson, Schrom, Dunn and Benedict introduced—

S. F. No. 673: A bill for an act relating to beverage containers; detachable parts of noncarbonated beverage cans; amending Minnesota Statutes 1976, Section 325.248, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Perpich, McCutcheon, Gearty, Coleman and Laufenburger introduced—

S. F. No. 674: A bill for an act relating to taxation; defining "ton" for certain purposes; amending Minnesota Statutes 1976, Chapter 298, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum; Willet; Dunn; Keefe, S. and Humphrey introduced—

S. F. No. 675: A bill for an act relating to economic development; providing grants to community development corporations; setting out criteria for making such grants; appropriating funds; amending Minnesota Statutes 1976, Chapter 362, by adding a section.

Referred to the Committee on Employment. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sillers, Hanson and Moe introduced—

S. F. No. 676: A resolution memorializing the Secretary of Agriculture and the Congress of the United States to expedite enactment of legislation to assist the domestic sugar industry.

Referred to the Committee on Rules and Administration.

Mr. Solon introduced—

S. F. No. 677: A bill for an act relating to counties; prohibiting counties from publishing the names and salaries of county employees; amending Minnesota Statutes 1976, Section 375.17.

Referred to the Committee on Judiciary. Mr. Wegener questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Borden, Dieterich, Laufenburger, Spear and Mrs. Brataas introduced—

S. F. No. 678: A bill for an act relating to savings banks; allowing savings banks to establish negotiable order of withdrawal accounts; amending Minnesota Statutes 1976, Chapter 50, by adding a section.

Referred to the Committee on Commerce.

Messrs. Penny, Moe, Spear, Sillers and Willet introduced—

S. F. No. 679: A bill for an act relating to education; higher education coordinating board; student financial aid; changing certain requirements for scholarships, aids and grants to students; increasing the bonding and loan making authority of the board; transferring the program of nursing student grants to the board; appropriating money; amending Minnesota Statutes 1976, Sections 136A.121, Subdivisions 1, 2 and 3; 136A.144; 136A.16, Subdivisions 4, 6 and 7; 136A.17, Subdivisions 3, 4, 5 and 6; 136A.171; and 136A.233, Subdivision 2.

Referred to the Committee on Education.

Messrs. Lewis, Coleman, Spear and Keefe, J. introduced—

S. F. No. 680: A bill for an act relating to human rights; clarifying the scope of sex discrimination; providing for an appeal by the commissioner; providing for a civil action without filing with the department; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.05, Subdivision 1; 363.072, Subdivision 1; and 363.14, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Moe, Gearty, Perpich, Willet and Coleman introduced—

S. F. No. 681: A bill for an act relating to public lands; author-

izing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam, Schaaf, Stokowski, Anderson and Milton introduced—

S. F. No. 682: A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

Referred to the Committee on Local Government.

Messrs. Merriam, Schaaf and Stokowski introduced—

S. F. No. 683: A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

Referred to the Committee on Local Government.

Messrs. Merriam, Schaaf, Anderson, Milton and Stokowski introduced—

S. F. No. 684: A bill for an act relating to Anoka county; creating an accrual accounting system; providing for purchase and payments for goods and services.

Referred to the Committee on Local Government.

Messrs. Merriam, Schaaf, Humphrey, Gearty and Ashbach introduced—

S. F. No. 685: A bill for an act relating to retirement; maximum benefits for firemen's relief associations; amending Minnesota Statutes 1976, Section 69.691.

Referred to the Committee on Governmental Operations.

Messrs. Merriam, Gearty, Spear, Mrs. Staples and Mr. Keefe, J. introduced—

S. F. No. 686: A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

Referred to the Committee on General Legislation and Veterans Affairs.

Messrs. Knutson, Bernhagen, Knoll, Olhoft and Ulland, J. introduced—

S. F. No. 687: A bill for an act relating to energy; proposing an interstate commission on the distribution and conservation of energy resources; providing for its operation and financing; appropriating money.

Referred to the Committee on Energy and Housing.

Messrs. Strand, Peterson, Renneke, Ogdahl and Stokowski introduced—

S. F. No. 688: A bill for an act relating to retirement; membership and duties of the Minnesota state retirement system board; amending Minnesota Statutes 1976, Section 352.03, Subdivisions 1, 2, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

Mr. Knoll introduced—

S. F. No. 689: A bill for an act relating to retirement; purchase of military service credit in the teachers retirement fund; amending Minnesota Statutes 1976, Section 354.53, Subdivisions 1 and 3.

Referred to the Committee on Governmental Operations.

Messrs. Hanson, Willet, Lessard, Peterson and Moe introduced—

S. F. No. 690: A bill for an act appropriating money for educational television facilities in northern Minnesota.

Referred to the Committee on Education.

Messrs. Knoll, Lewis, Vega, Kirchner and Coleman introduced—

S. F. No. 691: A bill for an act relating to state contracts; regulating bid and performance bonds for small businesses and minority small businesses; appropriating money; amending Minnesota Statutes 1976, Chapter 574, by adding a section.

Referred to the Committee on Governmental Operations. Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Solon introduced—

S. F. No. 692: A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; granting the attorney general enforcement powers; providing a penalty.

Referred to the Committee on Commerce.

Messrs. Chenoweth, McCutcheon, Borden and Bernhagen introduced—

S. F. No. 693: A bill for an act relating to juvenile courts; requiring children found delinquent for committing crimes against the person to be ordered to serve determinate terms of confinement; amending Minnesota Statutes 1976, Section 260.185, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Spear, Solon, Mrs. Brataas and Mr. Kleinbaum introduced—

S. F. No. 694: A bill for an act relating to crimes; specifying the crime of receiving or buying stolen property; prescribing penalties; amending Minnesota Statutes 1976, Section 609.53, Subdivision 1; repealing Minnesota Statutes 1976, Section 609.53, Subdivisions 2 and 3.

Referred to the Committee on Judiciary.

Messrs. Stumpf, Chenoweth, Lewis, Ashbach and Coleman introduced—

S. F. No. 695: A bill for an act authorizing the metropolitan council to issue bonds for repair, construction, reconstruction, improvement, and rehabilitation of the Como Park zoo by the City of Saint Paul; amending Minnesota Statutes 1976, Chapter 473, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Schaaf, Merriam, Milton, Stokowski and Anderson introduced—

S. F. No. 696: A bill for an act relating to taxation; reducing penalty for delinquent tax payment in certain cases; amending Minnesota Statutes 1976, Section 279.01.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Hanson, Stokowski and Bang introduced—

S. F. No. 697: A bill for an act relating to taxation; providing for valuation of residential property at sale price; requiring year of construction to be included on certificate of value; providing for certain increased income-adjusted homestead credit amounts; amending Minnesota Statutes 1976, Sections 273.11, Subdivision 1; 287.241, Subdivision 4; and 290A.04, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Jensen, Kleinbaum, Sikorski and Davies introduced—

S. F. No. 698: A bill for an act relating to insurance companies; simplifying language and removing obsolete provisions; clarifying ambiguities; establishing certain responsibilities; requiring performance bonds for certain corporate officers and employees; increasing certain fees; increasing certain capitalization and reserve requirements; providing certain restrictions; authorizing mutual companies to write certain additional kinds of insurance; prescribing certain penalties; amending Minnesota Statutes 1976, Sections 60A.07, Subdivisions 5d and 11; 60A.09, Subdivision 1; 60A.10, Subdivision 1; 60A.11, Subdivision 2; 60A.12, Subdivision 5; 60A.19, Subdivision 1; 60A.23, Subdivision 7; 60C.06, Subdivision 1; 61A.33; 61A.40; 66A.08, Subdivision 1; 66A.09; 66A.10; 66A.16, Subdivision 2; repealing Minnesota Statutes 1976, Sections 60A.12, Subdivision 6; and 63.36.

Referred to the Committee on Commerce.

Mr. Nichols introduced—

S. F. No. 699: A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Lincoln county.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Laufenburger, Spear, Kleinbaum, Bang and Davies introduced—

S. F. No. 700: A bill for an act relating to insurance; providing for the procurement of insurance from and the regulation of surplus line insurers and agents; providing for the regulation and imposition of penalties on certain insurance agents; amending Minnesota Statutes 1976, Section 60A.20.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Spear, Kleinbaum, Bang and Davies introduced—

S. F. No. 701: A bill for an act relating to insurance; defining divisible surplus; amending Minnesota Statutes 1976, Sections 60A.02, by adding a subdivision; 60A.07, Subdivision 10; 60A.23, Subdivision 4; 61A.03; 66A.08, Subdivision 3; 66A.14; and 66A.16, Subdivisions 1 and 2.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Spear, Kleinbaum, Sikorski and Bang introduced—

S. F. No. 702: A bill for an act relating to automobile insurance; establishing certain definitions; requiring insurers to provide summaries of insurance policies or issue "readable" policies; requiring coverage for the expenses of car rental; prohibiting sale of property damage coverage without no-fault coverage; regulat-

ing termination and renewal of certain policies; requiring certain insurers to offer replacement policies; amending Minnesota Statutes 1976, Sections 65B.14; 65B.17; and Chapter 65B, by adding sections.

Referred to the Committee on Commerce.

Mr. Schaaf, Mrs. Staples and Mr. Kleinbaum introduced—

S. F. No. 703: A bill for an act relating to labor; granting public employees paid leaves of absence to engage in world athletic competition.

Referred to the Committee on Employment.

Messrs. Benedict, Luther and Gunderson introduced—

S. F. No. 704: A bill for an act relating to education; state aids; providing aid to school districts employing teachers with certain levels of training.

Referred to the Committee on Education.

Messrs. McCutcheon and Olhoft introduced—

S. F. No. 705: A bill for an act relating to taxation; information contained in income tax returns; amending Minnesota Statutes 1976, Sections 290.081; and 290.61.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, Kirchner, Solon, Lewis and Moe introduced—

S. F. No. 706: A bill for an act relating to Anoka state hospital; closing as a state institution; amending Minnesota Statutes 1976, Section 253.015.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Tennesen, Mrs. Staples, Mr. Vega and Mrs. Brataas introduced—

S. F. No. 707: A bill for an act relating to public welfare; establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, S. introduced—

S. F. No. 708: A bill for an act relating to elections; providing for elections to fill vacancies in the United States senate; amending Minnesota Statutes 1976, Chapter 202A, by adding a section; repealing Minnesota Statutes 1976, Section 202A.72.

Referred to the Committee on Elections.

Messrs. Tennesen and Lewis introduced—

S. F. No. 709: A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

Referred to the Committee on Judiciary.

Messrs. Ueland, A. and Renneke introduced—

S. F. No. 710: A bill for an act relating to Blue Earth county; authorizing the issuance and sale of general obligation bonds for the purpose of renovating and remodeling certain buildings.

Referred to the Committee on Local Government.

Messrs. Anderson, Chmielewski, Wegener, Olson and Dunn introduced—

S. F. No. 711: A bill for an act relating to taxation; providing that gross receipts from the sale of sod be exempt from sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Purfeerst and Schmitz introduced—

S. F. No. 712: A bill for an act relating to metropolitan government; removing the city of New Prague from definitions of metropolitan areas; amending Minnesota Statutes 1976, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 713: A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

Referred to the Committee on Governmental Operations.

Messrs. Jensen; Pillsbury and Ueland, A. introduced—

S. F. No. 714: A bill for an act relating to elections; election day voter registration; permitting registration upon oath that voter possesses no document to prove residence in the precinct; eliminating registration by voucher of registered voter; providing for verification of sworn facts; amending Minnesota Statutes 1976, Section 201.061, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Elections.

Messrs. Nichols, Laufenburger, Moe and Bernhagen introduced—

S. F. No. 715: A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.36; 216B.38, Subdivision 5; 216B.45; 216B.47; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.-49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Borden, Laufenburger, Solon, Knutson and Dieterich introduced—

S. F. No. 716: A bill for an act relating to credit unions; authorizing certain contracts between credit unions; amending Minnesota Statutes 1976, Section 52.04.

Referred to the Committee on Commerce.

Messrs. Schaaf, Gearty, Sikorski, Nelson and Benedict introduced—

S. F. No. 717: A bill for an act relating to the legislature; recodifying language relative to legislative compensation; providing for a salary supplement during interims between legislative sessions; permitting expense reimbursement; amending Minnesota Statutes 1976, Section 3.099; repealing Minnesota Statutes 1976, Sections 3.101; 3.102; 3.103; and 3.13.

Referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 48.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 7, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 54, 62, 107, 212, 291 and 464.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 7, 1977

FIRST READING OF HOUSE BILLS

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

H. F. No. 54: A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

Referred to the Committee on Governmental Operations.

H. F. No. 62: A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

Referred to the Committee on Local Government.

H. F. No. 107: A bill for an act relating to state property; authorizing the conveyance of certain state property in Sherburne county to the city of St. Cloud, Minnesota.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 212: A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

Referred to the Committee on Commerce. Mr. Milton questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

H. F. No. 291: A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

Referred to the Committee on Education.

H. F. No. 464: A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of S. F. No. 270 be now adopted. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 270: A bill for an act relating to motor vehicles; increasing the registration tax on certain vehicles; prescribing weight limitations on certain vehicles; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1e and 12; 169.79; 169.83, Subdivisions 1, 2 and 3; 169.85; and 169.86, by adding a subdivision.

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 1976, Section 168.013, Subdivision 1e, 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 semi-trailer 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, 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.

MINNESOTA BASE RATE

Scheduled taxes include five percent
surtax provided for in 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
D	4,501 — 6,000	19.00	11.00
E	6,001 — 9,000	28.00	17.00
F	9,001 — 12,000	39.00	23.00
G	12,001 — 15,000	62.00	37.00
H	15,001 — 18,000	86.00	52.00
I	18,001 — 21,000	114.00	68.00
J	21,001 — 27,000	158.00	95.00
K	27,001 — 33,000	230.00	138.00
L	33,001 — 39,000	320.00	192.00
M	39,001 — 45,000	420.00	252.00
N	45,001 — 51,000	540.00	324.00
O	51,001 — 57,000	690.00	414.00
P	57,001 — 63,000	830.00	498.00
Q	63,001 — 69,000	970.00	582.00
R	69,001 — 75,000	1,050.00	630.00
S	73,281 — 77,000	1,120.00	672.00
T	77,001 — 81,000	1,190.00	714.00

For each vehicle with a gross weight in excess of ~~75,000~~ 80,000 pounds ~~the an additional tax shall be of \$36 is imposed~~ for each ton or fraction thereof in excess of ~~75,000~~ 80,000 pounds, subject to provisions of 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~~ commissioner of public safety may require, including sworn statements of fact, and the ~~registrar~~ commissioner of public safety 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~~ commissioner of public safety 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~~ commissioner of public safety 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 ~~an annual list fee of \$10 a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects .~~

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 commissioner of public safety~~ 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, and during the seventh and succeeding years of vehicle life as taken from Schedule II, but in no event less than \$11. In addition to such gross weight tax imposed on the truck-tractor, each semitrailer shall be taxed ~~an annual list a fee of \$10 for a one year period or \$50 for a five year period whichever the applicant elects .~~ 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. 2. Minnesota Statutes 1976, Section 168.013, Subdivision 12, is amended to read:

Subd. 12. [GROSS WEIGHT, ADDITIONAL TAX FOR EXCESSIVE.] Whenever an owner has registered a vehicle and

paid the tax as provided in subdivisions 1 to 1g, on the basis of a selected gross weight of the vehicle and thereafter such owner desires to operate such vehicle with a greater gross weight than that for which the tax has been paid, such owner shall be permitted to re-register such vehicle by paying the additional tax due thereon for the remainder of the calendar year for which such vehicle has been re-registered, the additional tax computed pro rata by the month, one-twelfth of the annual tax due for each month of the year remaining in the calendar year, beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. In computing the additional tax as aforesaid, the owner shall be given credit for the unused portion of the tax previously paid computed pro rata by the month, one-twelfth of the annual tax paid for each month of the year remaining in the calendar year beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. An owner will be permitted one reduction of gross weight or change of registration per year, which will result in a refund. This refund will be pro-rated monthly beginning with the first day of the month in which after such owner applies to amend his registration. The application for amendment shall be accompanied by a fee of \$3, and all fees shall be deposited in the highway user tax distribution fund. Provided, however, the owner of a vehicle may re-register the vehicle for a weight of more than ~~75,000~~ 80,000 pounds for one or more 30-day periods. For each 30-day period, the additional tax shall be equal to one-twelfth of the difference between the annual tax for the weight at which the vehicle is registered and re-registered. When a vehicle is re-registered in accordance with this provision, a distinctive windshield sticker provided by the ~~register~~ commissioner of public safety shall be permanently displayed.

Sec. 3. Minnesota Statutes 1976, Section 169.79, is amended to read:

169.79 [VEHICLE REGISTRATION.] No person shall operate, drive or park a motor vehicle on any highway unless ~~such the~~ vehicle ~~shall have been~~ is registered in accordance with the laws of this state and ~~shall have~~ has the number plates for the current year only, as assigned to it by the ~~registrar of motor vehicles~~ commissioner of public safety, conspicuously displayed thereon in such a manner that the view ~~thereof shall of any plate is not~~ be obstructed. If the vehicle ~~be is~~ is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, or semitrailer, one such plate shall be displayed on the rear thereof; ~~if the vehicle is a truck-tractor or road-tractor, one such plate shall be displayed on the front thereof;~~ if it ~~be is~~ is any other kind of motor vehicle, one such plate shall be displayed on the front and one on the rear thereof; . All plates shall be securely fastened so as to prevent ~~the same them~~ from swinging. ~~It shall be the duty of~~ The person driving the motor vehicle ~~to shall~~ keep the plate legible and

unobstructed and free from grease, dust, or other blurring material so that the lettering thereon shall be plainly visible at all times.

Sec. 4. Minnesota Statutes 1976, Section 169.83, Subdivision 1, is amended to read:

169.83 [WEIGHT LIMITATIONS.] Subdivision 1. [PNEUMATIC-TIRED VEHICLES.] *Except as provided in section 6.* no vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

1. Where the gross weight on any wheel exceeds 9,000 pounds;
2. Where the gross weight on any single axle exceeds 18,000 pounds;
3. ~~This limitation~~ *The limitations provided in this section* shall be increased by 20 percent from January 1 through March 7 each winter for haulers of raw and unfinished forest products in the following specified zone of the state, where frost conditions are most constant and of longest durations: The zone is bounded as follows: Beginning at Pigeon River, in the northeast corner of Minnesota; thence, in a southwesterly direction along the north shore of Lake Superior to the Minnesota-Wisconsin border; thence, southerly along this border to Trunk Highway No. 48; thence westerly along Trunk Highway No. 48 to Interstate Highway No. 35; thence southerly along Interstate Highway No. 35 to Trunk Highway No. 23; thence southwesterly along Trunk Highway No. 23 to Trunk Highway No. 52 and Interstate Highway No. 94; thence northwesterly along said highways to Trunk Highway No. 29; thence northerly along Trunk Highway No. 29 to Trunk Highway No. 210; thence westerly along Trunk Highway No. 210 to Trunk Highway No. 108; thence northwesterly along Trunk Highway No. 108 to Trunk Highway No. 78; thence northerly along Trunk Highway No. 78 to Trunk Highway No. 10; thence northwesterly along Trunk Highway No. 10 to Trunk Highway No. 59; thence northerly along Trunk Highway No. 59 to the junction with Trunk Highway No. 2; thence, westerly along Trunk Highway No. 2 to the junction with Trunk Highway No. 32; thence, northerly along Trunk Highway No. 32 to the junction with Trunk Highway No. 11; thence, northeast along Trunk Highway No. 11 to the east line of Range 43 W. to the Minnesota-Canadian Border; thence, easterly along said Border to Lake Superior; and further, this 20 percent increase is authorized from December 1 through December 31 each winter for haulers of raw and unfinished forest products, subject to limitation by order of the commissioner of transportation, in that part of the above zone bounded as follows: Beginning at Pigeon River in the northeast corner of Minnesota; thence in a southwesterly direction along the north shore of Lake Superior along Trunk Highway No. 61 to the junction with Trunk Highway No. 210; thence westerly along Trunk Highway No. 210 to the junction with Trunk Highway No. 10; thence northwesterly

along Trunk Highway No. 10 to the junction with Trunk Highway No. 59; thence northerly along Trunk Highway No. 59 to the junction with Trunk Highway No. 2; thence westerly along Trunk Highway No. 2 to the junction with Trunk Highway No. 32; thence northerly along Trunk Highway No. 32 to the junction with Trunk Highway No. 11; thence northeast along Trunk Highway No. 11 to the east line of Range 43W to the Minnesota-Canadian Border; thence easterly along said Border to Lake Superior.

In all cases where gross weights in an amount less than *those set forth* in this subdivision ~~set forth~~ are fixed, limited or restricted on any highway or bridge by or pursuant to any other section of this chapter ~~such the~~ lesser gross weight as so fixed, limited or restricted shall not be exceeded and ~~in such case~~ shall control instead of the gross weight ~~weights set forth~~ in this subdivision ~~set forth~~.

Sec. 5. Minnesota Statutes 1976, Section 169.83, Subdivision 2, is amended to read:

Subd. 2. [GROSS WEIGHT SCHEDULE.] (1) *Except as provided in section 6*, no vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state where the total gross weight on any group of two or more consecutive axles of any vehicle or combination of vehicles exceeds that given in the following table for the distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration; the distance between axles being measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used, except that when the distance between axles is more than three feet four inches and less than three feet six inches the distance of four feet shall be used:

Maximum gross weight in pounds on a group of

Distances in feet between centers of foremost and rearmost axles of a group	2	3	4
	consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	consecutive axles of any combination of vehicles having a total of 4 or more axles
4	32,000		
5	32,000		
6	32,000		

7	32,000	37,000	
8	33,000	38,500	
9	34,000	39,900	
10	35,000	41,200	42,500
11	36,000	42,400	44,300
12		43,500	46,000
13		44,500	47,600
14		45,500	49,100
15		46,500	50,500
16		47,500	51,800
17		48,500	53,000
18		49,500	54,000
19		50,500	54,500
20		51,500	55,500
21		52,200	56,000
22		52,900	56,500
23		53,600	57,500
24		54,000	58,000
25			58,500
26			59,500
27			60,000
28			60,500
29			61,500
30			62,500
31			63,500
32			64,000

Notwithstanding the provisions of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed 73,280 pounds and the gross weight on any tandem axle shall not exceed 32,000 pounds.

(2) Expired on June 30, 1965. See Laws 1963, Chapter 532, Section 1.

(3) Expired on June 30, 1965. See Laws 1963, Chapter 532, Section 1.

(4) Expired on June 30, 1965. See Laws 1963, Chapter 532, Section 1.

(5) (2) During the times and within the zone set forth in sub-

division 1 and not otherwise haulers of raw and unfinished forest products shall not be subject to the foregoing limitations of gross weight for groups of two or more consecutive axles in this subdivision set forth but shall in lieu thereof within such zone and during such time be subject to the gross weight limitations as follows: No vehicle or combination of vehicles equipped with pneumatic tires shall be operated by haulers of raw and unfinished forest products upon the highways of this state during the times and within the zone in subdivision 1 set forth where the total gross weight on any two or more consecutive axles of any vehicle or combination of vehicles exceeds the product of the coefficient named below multiplied by the sum of 40 plus the distance in feet between the first and last axles of the group of axles under consideration. A coefficient of 800 shall be used where a group of two consecutive axles is under consideration, a coefficient of 860 shall be used where a group of three consecutive axles is under consideration; a coefficient of 900 shall be used where a group of four consecutive axles is under consideration; and a coefficient of 920 shall be used where a group of five or more consecutive axles is under consideration.

(6) (3) In all cases where gross weights in an amount less than those set forth in this subdivision set forth are fixed, limited or restricted on any highway or bridge by or pursuant to any other section of this chapter such the lesser gross weights as so fixed, limited or restricted shall not be exceeded and in such case shall control instead of the gross weights set forth in this subdivision set forth.

Sec. 6. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.832] [WEIGHT LIMITATIONS ON INTERSTATE HIGHWAYS AND DESIGNATED ROUTES.] *Subdivision 1. [APPLICATION.] The provisions of this section apply on routes designated by the commissioner of transportation pursuant to subdivisions 11 and 12, and on all interstate highways.*

Subd. 2. [LIMITATIONS.] No vehicle or combination of vehicles equipped with pneumatic tires shall have a gross weight exceeding 10,000 pounds carried on any one wheel, including all enforcement tolerances; 20,000 pounds carried on any one axle, including all enforcement tolerances; 12,000 pounds on the steering axle of any truck tractor, except as provided in this subdivision, including all enforcement tolerances; or with a tandem axle weight in excess of 34,000 pounds; including all enforcement tolerances; or with an overall gross weight on a group of two or more consecutive axles produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L equals distance in feet between the extreme of any group of two or more consecutive axles, and N equals number of axles in the group under consideration, except that two consecutive sets of tandem axles may

carry a gross load of 34,000 pounds each, provided the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more, provided, that such overall gross weight may not exceed 80,000 pounds, including all enforcement tolerances. A truck tractor used in the transportation of motor vehicles or operated by a heavy specialized motor carrier as defined by the interstate commerce commission may exceed 12,000 pounds gross weight on the steering axle but shall in no event exceed 18,000 pounds gross weight on that axle.

Subd. 3. [GROSS WEIGHT SCHEDULE.] The distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration shall be measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used, except that when the distance between axles is more than three feet four inches and less than three feet six inches the distance of four feet shall be used.

The following table is based on the formula provided in subdivision 2.

COMPUTED GROSS WEIGHT TABLE

For various spacings of axle groupings

$$\text{Weight Formula } W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

Distance in feet between the extremes of any group of two or more consecu- tive axles (wheelbases)	Maximum Computed Weight in Pounds for any Group of Two or More Consecutive Axles (wheelbases)				
	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles
4	34,000				
5	35,000				
6	36,000				
7	37,000				
8	38,000	42,000			
9	39,000	43,000			
10	40,000	43,500			
11		44,500			
12		45,000	50,000		
13		46,000	50,500		
14		46,500	51,500		
15		47,500	52,000		
16		48,000	52,500	58,000	

<i>17</i>	<i>49,000</i>	<i>53,500</i>	<i>58,500</i>	
<i>18</i>	<i>49,500</i>	<i>54,000</i>	<i>59,500</i>	
<i>19</i>	<i>50,500</i>	<i>54,500</i>	<i>60,000</i>	
<i>20</i>	<i>51,000</i>	<i>55,500</i>	<i>60,500</i>	<i>66,000</i>
<i>21</i>	<i>52,000</i>	<i>56,000</i>	<i>61,000</i>	<i>66,500</i>
<i>22</i>	<i>52,500</i>	<i>56,500</i>	<i>62,000</i>	<i>67,000</i>
<i>23</i>	<i>53,500</i>	<i>57,500</i>	<i>62,500</i>	<i>68,000</i>
<i>24</i>	<i>54,000</i>	<i>58,000</i>	<i>63,000</i>	<i>68,500</i>
<i>25</i>	<i>55,000</i>	<i>58,500</i>	<i>63,500</i>	<i>69,000</i>
<i>26</i>	<i>55,500</i>	<i>59,500</i>	<i>64,500</i>	<i>69,500</i>
<i>27</i>	<i>56,500</i>	<i>60,000</i>	<i>65,000</i>	<i>70,000</i>
<i>28</i>	<i>57,000</i>	<i>60,500</i>	<i>65,500</i>	<i>71,000</i>
<i>29</i>	<i>58,000</i>	<i>61,500</i>	<i>66,000</i>	<i>71,500</i>
<i>30</i>	<i>58,500</i>	<i>62,000</i>	<i>67,000</i>	<i>72,000</i>
<i>31</i>	<i>59,500</i>	<i>63,000</i>	<i>67,500</i>	<i>72,500</i>
<i>32</i>	<i>60,000</i>	<i>63,500</i>	<i>68,000</i>	<i>73,000</i>
<i>33</i>		<i>64,000</i>	<i>68,500</i>	<i>74,000</i>
<i>34</i>		<i>64,500</i>	<i>69,500</i>	<i>74,500</i>
<i>35</i>		<i>65,500</i>	<i>70,000</i>	<i>75,000</i>
<i>36</i>		<i>66,000</i>	<i>70,500</i>	<i>75,500</i>
<i>37</i>		<i>66,500</i>	<i>71,000</i>	<i>76,000</i>
<i>38</i>		<i>67,500</i>	<i>72,000</i>	<i>77,000</i>
<i>39</i>		<i>68,000</i>	<i>72,500</i>	<i>77,500</i>
<i>40</i>		<i>68,500</i>	<i>73,000</i>	<i>78,000</i>
<i>41</i>		<i>69,500</i>	<i>73,500</i>	<i>78,500</i>
<i>42</i>		<i>70,000</i>	<i>74,500</i>	<i>79,000</i>
<i>43</i>		<i>70,500</i>	<i>75,000</i>	<i>80,000</i>
<i>44</i>		<i>71,500</i>	<i>75,500</i>	
<i>45</i>		<i>72,000</i>	<i>76,000</i>	
<i>46</i>		<i>72,500</i>	<i>77,000</i>	
<i>47</i>		<i>73,500</i>	<i>77,500</i>	
<i>48</i>		<i>74,000</i>	<i>78,000</i>	
<i>49</i>		<i>74,500</i>	<i>78,500</i>	
<i>50</i>		<i>75,500</i>	<i>79,500</i>	
<i>51</i>		<i>76,000</i>	<i>80,000</i>	

The permissible loads are rounded up to the nearest 500 pounds.

Notwithstanding any lesser weight in pounds shown in this table, two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each and a combined gross load of 68,000 pounds provided the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

Subd. 4. Except on interstate highways, the limitations provided in this section shall be increased by ten percent for haulers of raw and unfinished wood products during the times and within the zones specified in section 169.83, subdivision 1, clause 3.

Subd. 5. [EFFECT OF OTHER WEIGHT RESTRICTIONS.] *In all cases where gross weights in an amount less than those permitted under this section are fixed, limited or restricted on any highway or bridge by or pursuant to any other section of this chapter except section 169.83 such lesser gross weights as so fixed, limited or restricted shall not be exceeded and shall control instead of the gross weights permitted under this section.*

Subd. 6. [SINGLE WHEEL DEFINED.] *For the purposes of subdivision 2, two or more wheels less than 48 inches apart on an axle shall be deemed a single wheel; provided that two or more wheels less than 48 inches apart on an axle on vehicles in operation and registered in this state on November 13, 1971, shall be counted as separate wheels.*

Subd. 7. [COMBINED VEHICLES, CONSECUTIVE AXLE WEIGHT.] *For the purposes of the gross weight table in subdivision 3, the maximum gross weight in pounds on a group of four consecutive axles of any combination of vehicles having a total of four or more axles shall also apply to four consecutive axles of any vehicle, and no vehicle alone, nor any vehicle of a combination of vehicles, shall be equipped with more than four axles; provided that the limitation on the number of axles as herein provided shall not apply to any vehicle operated under permit pursuant to section 169.86.*

Subd. 8. [SINGLE AXLE.] *A single axle as used in this section is defined as including all wheels whose centers may be included within two parallel transverse vertical planes 40 inches apart. In no event shall the front steering axle of any motor vehicle or combination of vehicles equipped with pneumatic tires exceed a gross weight of 18,000 pounds.*

Subd. 9. [VEHICLES NOT EQUIPPED WITH PNEUMATIC TIRES.] *A vehicle or combination of vehicles not equipped with pneumatic tires shall be governed by the provisions of subdivisions 2, 3, and 8, except that the gross weight limitations shall be reduced by 40 percent.*

Subd. 10. [EXCEPTION.] *The provisions of this section shall not apply to vehicles operated exclusively in any city in this state which has in force and effect an ordinance regulating the gross weight of vehicles operated therein.*

Subd. 11. [DESIGNATION OF ROUTES.] *The commissioner*

may designate any street or highway route or segment of a route to carry the gross weights permitted under this section subject to the approval of any local authority having jurisdiction over the route. A route may not be designated if the commissioner finds that designation

(a) creates an undue hazard to traffic safety; or

(b) is inconsistent with structural capacity of the route, including consideration of the volume of traffic expected to occur on the route after designation.

Notwithstanding any finding under clause (b), the commissioner shall designate any route which he determines is needed to provide

(i) a connection between significant centers of population or commerce, or between other designated routes; or

(ii) access to a transportation terminal; or

(iii) temporary emergency service to a particular shipping or receiving point on the route.

The commissioner may undesignate any route when continued designation is inconsistent with the provisions of this subdivision, subject to the approval of any local authority having jurisdiction over the route.

Except as provided in subdivision 12, any route designation or undesignation shall be effective when proposed and adopted as a rule in accordance with chapter 15. The commissioner shall propose the designation or undesignation of any route when requested by any local authority having jurisdiction over the route. The commissioner shall propose rules or amendments to rules for the purpose of route designation or undesignation only once in any calendar year.

Subd. 12. The commissioner may exercise emergency rule making power pursuant to section 15.0412, subdivision 5, to designate or undesignate a route to carry the gross weights permitted under this section, subject to the approval of any local authority having jurisdiction over the route, whenever the commissioner determines that an emergency transportation need requires such action.

Sec. 7. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.834] [COUNTY WEIGHT ENFORCEMENT REPORT.] No later than July 1 of each year the sheriff of each county shall file with the commissioner of transportation a report showing:

(a) the number of scales operated by the sheriff to enforce vehicle weight limitations on highways in the county;

(b) the number of vehicles or combinations of vehicles weighed by the sheriff during the preceding calendar year; and

(c) the number of citations, if any, issued to vehicle operators violating the weight limitations provided in section 169.83 or section 6 during the preceding calendar year.

The report may include the number of convictions, as defined in section 171.01, subdivision 13, in the previous calendar year resulting from citations issued by the sheriff for violations of section 169.83 or section 6. The report shall be on a form provided by the commissioner.

Sec. 8. Minnesota Statutes 1976, Section 169.85, is amended to read:

169.85 [WEIGHING; PENALTY.] Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest public scales in the event such scales are within five miles. Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When any weigh station upon a trunk highway or interstate highway is open and signs giving notice of that fact are posted in accordance with section 169.06 and are not posted more than one mile from the weigh station, the driver of every vehicle or combination of vehicles registered for or weighing in excess of 11,000 pounds, except buses registered in this state, shall comply with the direction of the signs and submit the vehicle to weighing and inspection at the weigh station.

~~When an officer, Upon weighing a vehicle and load, as above provided above , an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under this chapter. A driver shall be required to unload a vehicle only if the weighing officer determines that (a) the weight on any axle exceeds the lawful gross weight as prescribed by section 169.83, by 2,000 pounds or more ; ; or when (b) the weight on any group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight as prescribed by section 169.83, by 4,000 pounds or more ; or (c) notwithstanding a determination under clauses (a) or (b), the overall weight of the vehicle or the weight on any axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by section 6, subdivision 2, on any interstate highway; and in all cases when or (d) the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with section 169.87 ; he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter . All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.~~

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing as required herein, or who fails or refuses, when directed by an officer upon a weighing of the

vehicle, to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

Sec. 9. Minnesota Statutes 1976, Section 169.86, is amended by adding a subdivision to read:

Subd. 1a. [SEASONAL PERMITS FOR CERTAIN HAULERS.] The commissioner of transportation, upon application in writing therefor, may issue special permits annually to any hauler of raw and unfinished forest products authorizing the hauler to move vehicles or combinations of vehicles with weights exceeding by not more than ten percent the weight limitations contained in section 6, on interstate highways during the times and within the zones specified in section 169.83, subdivision 1, clause 3.

In all cases where gross weights in an amount less than those permitted under this subdivision are fixed, limited or restricted on any interstate highway or bridge thereon by or pursuant to any other section of this chapter the lesser gross weights as so fixed, limited or restricted shall not be exceeded and shall control instead of the gross weights permitted under this subdivision.

Sec. 10. [FIRST DESIGNATION OF ROUTES.] *Notwithstanding the rule making provisions of section 6, subdivision 11, to the contrary, the commissioner shall, no later than November 1, 1977, designate those routes upon which the weights permitted under section 6 will be allowed to be carried during calendar year 1978, which designations shall be effective upon publication in the state register without any further rule making proceedings. These designations shall not be effective after December 31, 1978.*

Sec. 11. [EFFECTIVE DATE.] *Section 3 of this act is effective November 15, 1980, for the vehicle registration year 1981, and subsequent years. The optional five year semitrailer fee provided in section 1 is effective November 15, 1978, for the registration year 1979, and subsequent years, provided that the commissioner of public safety may issue the first five year semitrailer license plates at a later date and permit registration for the duration of the period preceding issuance of those plates upon payment of a prorated portion of the \$50 fee. Section 6, subdivision 11, section 7, section 10, and this section are effective the day following final enactment. The remaining provisions of this act are effective November 15, 1977, for the vehicle registration year 1978 and subsequent years.*

Amend the title as follows:

Page 1, strike lines 2 to 8 and insert:

"relating to motor vehicles; increasing gross weight limitations on interstate highways and routes designated by the commissioner of transportation; increasing truck registration taxes on heaviest trucks; establishing procedures for route designation and undesignation; requiring weight enforcement reports by county sheriffs; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1e and 12; 169.79; 169.83, Subdivisions 1 and 2; 169.85; 169.86, by adding a subdivision; and Chapter 169, by adding sections."

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 185: A bill for an act relating to education; Montessori schools; excluding Montessori schools from day care regulation; amending Minnesota Statutes 1976, Section 245.791.

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

Page 2, line 32, strike "in the judgment of" and insert "*, pursuant to rules promulgated by*"

Page 3, line 1, strike "commissioner" and insert "*state board*"

Page 3, line 1, after "education" insert a comma

Page 3, line 4, after "of" strike "the"

Page 3, line 4, strike "therein. The"

Page 3, line 5, before "classrooms" insert "*in*"

Page 3, line 5, strike "shall meet" and insert "*in which case*"

Page 3, line 6, strike "," and insert "*shall apply*"

Page 3, lines 7 through 10, strike the new language

Further, amend the title as follows:

Page 1, line 2, strike "Montessori schools;"

Page 1, line 3, strike "Montessori schools" and insert "facilities operated for the primary purpose of educating children"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 26: A bill for an act relating to game and fish; seasons for taking of certain fish; amending Minnesota Statutes 1976, Section 101.41, Subdivisions 2 and 4.

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

Amend the title as follows:

Page 1, line 2, after the semicolon insert "extending"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 72: A bill for an act relating to natural resources;

authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 78: A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

H. F. No. 511: A bill for an act relating to the state transportation system; correcting conditions of a bond authorization; amending Laws 1976, Chapter 339, Section 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 381: A bill for an act relating to game and fish; removal of beaver and destruction of dams; seasons for taking beaver, fox, and wild turkey; hours for taking trout; amending Minnesota Statutes 1976, Sections 97.56; 97.57; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; and 101.42, Subdivision 8.

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 1976, Section 97.56, is amended to read:

97.56 [REMOVAL OF BEAVER FROM STATE-OWNED LANDS.] In any county in the state where the board of county commissioners shall have *unanimously requested by resolution request* him to do so, the commissioner of natural resources *shall may* take necessary steps to remove beaver, at state expense, from state owned lands located in that county.

Sec. 2. Minnesota Statutes 1976, Section 98.46, Subdivision 2, is amended to read:

Subd. 2. Fees for the following licenses, to be issued to residents only, shall be:

(1) To take small game, \$5;

(2) To take deer or bear, or both, with firearms during the period in which the licensee may take deer, \$10;

(3) To take deer or bear, or both, with bow and arrow during the period in which the licensee may take deer, \$10;

(4) To take fish by angling, \$5;

(5) Combination husband and wife, to take fish by angling, \$8;

(6) To take moose, \$100 for an individual or for a party of not to exceed four persons;

(7) To take bear only, \$7.50 ;

(8) *To take turkeys, \$10, in addition to a small game license .*

Sec. 3. Minnesota Statutes 1976, Section 98.46, Subdivision 2a, is amended to read:

Subd. 2a. The commissioner of natural resources ~~may~~ *shall* issue Minnesota sportsman licenses. The licenses shall be issued to residents only. The fee for licenses shall be ~~\$17~~ *\$8.50* if the angling license is for one person and ~~\$19~~ *\$11* if the angling license is a combination husband and wife license. These fees do not include the surcharge authorized pursuant to section 97.482.

The license shall authorize the licensee to:

(1) Take small game;

(2) Take fish by angling ;

~~(3) Take deer or bear with firearms during the period in which the licensee may take deer; or take deer or bear with bow and arrow during the period in which the licensee may take deer .~~

Sec. 4. Minneseota Statutes 1976, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to non-residents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$60;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$25;

(4) To take bear, \$25.25 ;

(5) *To take turkeys, \$30, in addition to a small game license .*

Sec. 5. Minnesota Statutes 1976, Section 100.26, Subdivision 1, is amended to read:

100.26 [UNPROTECTED ANIMALS.] Subdivision 1. Weasel, ~~beaver~~, coyote (brush wolf), ~~fox~~, gopher, porcupine, badger, and all other quadrupeds for which no closed season or other protec-

tion is accorded by chapters 97 to 102, are unprotected animals and may be taken either in the daytime or at night, and in any manner, except with the aid of artificial lights, and possessed, bought, sold or transported in any quantity, provided that for the safety of humans and domestic stock, poison may not be used in the taking thereof, except in the manner authorized by sections ~~18.021 to 18.025~~ *section 18.022*. It shall be unlawful to intentionally drive, chase, run over or kill with any motor propelled vehicle any unprotected animals. ~~The taking of any species of bear may be permitted by order of the commissioner without a license therefor in such areas of the state and during such periods as he may deem necessary, upon a determination that the predation of bear represents a threat to livestock or other property. No fox may be removed from a den or trapped within 300 feet of a fox den during the period beginning April 1 and ending August 31 of each year. No person may sell live fox without a permit from the commissioner authorizing the sale of fox.~~

Sec. 6. Minnesota Statutes 1976, Section 100.27, Subdivision 1, is amended to read:

100.27 [SEASONS.] Subdivision 1. Except as otherwise specifically provided, there shall be no open season on elk, caribou, antelope, marten, fisher, *or* wolverine, *or* wild turkeys.

Sec. 7. Minnesota Statutes 1976, Section 100.27, Subdivision 3, is amended to read:

Subd. 3. *The commissioner shall prescribe by order the areas within the state and any other restrictions under which the following animals may be taken and possessed, subject to all other provisions of chapters 97 to 102, between the dates, if any, set opposite the species:*

(1) Grey and fox squirrels, October 15 and December 31 statewide; and during *such any* other times, within *such any* areas, and subject to *such any other* restrictions as the commissioner by order may prescribe;

(2) Jack rabbits, cottontail rabbits and varying hare or snowshoe rabbits, September 16 and March 1;

(3) Raccoon ~~may be taken and possessed, subject to the provisions of chapters 97 to 102 and the restrictions imposed by order of the commissioner between~~, October 15 and December 31 statewide. Notwithstanding the restrictions imposed by this subdivision, raccoon may be treed without being taken by the use of dogs at any time during year;

(4) Lynx, *or* bobcat with the length of the season, if any, *for either species* determined by the commissioner based upon population estimates of ~~lynx either species~~ within the state ;

(5) *Fox, provided that no fox may be removed from a den*

or trapped within 300 feet of a fox den during the period from April 1 and ending August 31 of each year;

(6) *Fisher.*

Sec. 8. Minnesota Statutes 1976, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding 60 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in ~~such the~~ areas of the state and , during ~~such the~~ times between November 1st and April 30th of the following year and subject to ~~such~~ regulations as any other restrictions which the commissioner shall prescribe , between November 1 and April 30 following, and . Beaver may be taken, by trapping only, for a period, or periods, not exceeding a total of 45 days, in ~~such the~~ areas of the state and , during ~~such the~~ times between November 1st and April 30th of the following year and subject to ~~such~~ regulations as any other restrictions which the commissioner shall prescribe , between November 1 and May 31 following, provided that during the calendar year 1975 there shall be no season open for the taking of beaver in that portion of the state lying northerly and easterly of a line commencing at the intersection of state trunk highway numbered 71 and the Canadian border and running southerly along state trunk highway numbered 71 to its intersection with state trunk highway numbered 6, thence southerly along state trunk highway numbered 6 to its intersection with state trunk highway numbered 18, thence easterly along state trunk highway numbered 18 to its intersection with state highway numbered 23, thence northeasterly along state trunk highway numbered 23 to Duluth except Pine county; provided further that in the portion of the state lying northerly and easterly of the line previously described that beaver may be taken in the calendar year 1976 and following, in the manner and subject to regulations described above, but only for a period, or periods, not exceeding a total of 45 days between November 1 and May 31 following .

Sec. 9. Minnesota Statutes 1976, Section 100.27, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise expressly provided, quail, partridges or ruffed grouse, Canada spruce grouse, pheasants, prairie chicken or pinnated grouse, white breasted or sharp tailed grouse, Hungarian partridge or , chukar partridge, or turkeys (*meleagris gallopavo*) may be taken and possessed, subject to all other provisions of chapters 97 to 102, only in ~~such the~~ areas of the state and during ~~such the~~ times between September 16 and December 31, as which the commissioner shall prescribe. The commissioner may by order prescribe an additional period for the taking of turkeys in the spring.

Sec. 10. Minnesota Statutes 1976, Section 100.27, Subdivision 7, is amended to read:

Subd. 7. ~~Badger~~, Mink, squirrels, rabbits, hares, raccoon, lynx, bobcat, fox, or beaver may be taken in any manner, except by poison, or artificial lights in closed season, by the actual occupant or owner of any land whereon the animals so killed are causing any damage or injury. Upon so killing any such animal, *other than squirrels, rabbits, and hares*, the entire carcass, including the hide, shall be turned over and surrendered to the nearest conservation officer or employee of the division within 24 hours of the time ~~such~~ *the* animal was killed.

Sec. 11. Minnesota Statutes 1976, Section 100.28, Subdivision 1, is amended to read:

100.28 [LIMITS.] Subdivision 1. Not more than one deer ~~or ten beaver~~ shall be taken by any licensee during any one year.

Sec. 12. Minnesota Statutes 1976, Section 101.42, Subdivision 8, is amended to read:

Subd. 8. Except as otherwise specifically permitted, it shall be unlawful to take trout, except lake trout, ~~on the opening day of the season prior to the hour of 10:00 A.M., Central Standard Time, or on any other day of the open season, between 11:00 P.M., Central Standard Time, 11 p.m. and one hour before sunrise.~~

Sec. 13. Laws 1961, Chapter 66, Section 1, as amended by Laws 1971, Chapter 867, Section 1, is amended to read:

Section 1. [GAME AND FISH; SMALL GAME HUNTING LICENSES; WILDLIFE DEVELOPMENT, EXTENSION OF PROGRAM.] The provisions of Laws 1957, Chapter 644, Sections 1 to 4 appearing in Minnesota Statutes ~~1969~~ 1976 as Sections 97.481 to 97.484 inclusive, shall continue in effect until December 31, ~~1978~~ February 28, 1985, notwithstanding any provision of Laws 1957, Chapter 644, Section 5, to the contrary.

Sec. 14. *Minnesota Statutes 1976, Section 348.071, is repealed.*

Sec. 15. *Sections 1 and 12 are effective the day following final enactment."*

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

"A bill for an act relating to game and fish; changing the commissioner's duties in the removal of beaver; authorizing seasons for taking bobcat, fisher, fox, and wild turkey; requiring the commissioner to issue sportsman's licenses; extending the season and eliminating the annual limit for taking beaver; changing the hours for taking trout; extending the surcharge on small game licenses; amending Minnesota Statutes 1976, Sections 97.56; 98.46, Subdivisions 2, 2a, and 14; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; 101.42, Subdivision 8; and Laws 1961, Chapter 66, Section 1, as amended;

repealing Minnesota Statutes 1976, Section 348.071."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

S. F. No. 16: A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Section 6; providing that all eligible voters may hold most elective offices.

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

Page 1, line 7, strike "An" and insert "The following"

Page 1, line 17, after "The" insert "proposed"

Page 1, line 17, after "submitted" insert "to the people"

Page 1, line 19, strike "permit" and insert "lower the age of eligibility"

Page 1, line 20, strike "all eligible voters"

Page 1, line 20, before the question mark insert "from 21 to 18 years of age"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 380: A bill for an act relating to courts; lapse of causes of action arising outside the state; amending Minnesota Statutes 1976, Section 541.14.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 377: A bill for an act relating to credit union mergers; amending Minnesota Statutes 1976, Section 52.203.

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

Page 2, line 19, strike "*potential*" and insert "*eligible*"

Page 2, line 19, strike "*within the*"

Page 2, line 20, strike "*field of membership*"

Page 3, line 1, strike "1978" and insert "1977"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "clarifying membership for merged credit unions;"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

H. F. No. 283: A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Sections 80A.07, Subdivision 2, and 80A.21, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 401: A bill for an act relating to motor vehicles; regulation of certain motor vehicle dealers; place of doing business; amending Minnesota Statutes 1976, Section 168.27, Subdivision 10.

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 1976, Section 168.27, Subdivision 2, is amended to read:

Subd. 2. [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, broker, wholesale or auction and to solicit and advertise the sale, broker, wholesale or auction of new motor vehicles covered by his franchise and any used motor vehicles or to 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.

Sec. 2. Minnesota Statutes 1976, Section 168.27, Subdivision 10, is amended to read:

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 or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space 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~~ *sell, broker, wholesale or auction;*

(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 or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space 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 or under lease by the licensee.~~ The lease shall be for a minimum term of one year. The building shall contain 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.

(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, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain 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.

(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.

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

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

"A bill for an act relating to motor vehicles; modifying certain motor vehicle dealer licensing requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 2 and 10."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred

S. F. Nos. 321, 250, 332, 218, 170, 107, 305, 267 and H. F. No. 38, makes the following report:

That S. F. No. 218 be placed on the Consent Calendar.

That S. F. Nos. 321, 250, 332, 170, 107, 305 and 267 be placed on the General Orders Calendar.

That H. F. No. 38 be placed on the General Orders Calendar.

That there were no other bills before the subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 72 and 377 were read the second time.

S. F. Nos. 26, 78, 381, 380 and 401 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 511 was read the second time.

H. F. No. 283 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Merriam be added as co-author to S. F. No. 570. The motion prevailed.

Mr. Luther moved that the name of Mr. Vega be added as co-author to S. F. No. 632. The motion prevailed.

Mr. Stokowski moved that the name of Mr. Vega be added as co-author to S. F. No. 633. The motion prevailed.

Mr. Stokowski moved that the name of Mr. Vega be added as co-author to S. F. No. 636. The motion prevailed.

Mr. Peterson moved that the name of Mr. Lessard be added as co-author to S. F. No. 639. The motion prevailed.

Mr. Vega moved that the name of Mr. Sikorski be added as co-author to S. F. No. 654. The motion prevailed.

Mr. Humphrey moved that the names of Messrs. Borden, Knoll and Vega be added as co-authors to S. F. No. 655. The motion prevailed.

Mr. Merriam moved that the name of Mr. Frederick be added as co-author to S. F. No. 659. The motion prevailed.

Mr. Tennesen moved that the name of Mr. Gearty be stricken and the name of Mr. Tennesen be shown as Chief Author to S. F. No. 311. The motion prevailed.

Mr. Strand moved to amend the mileage report adopted by the Senate February 15, 1977; after his name strike "350" and insert "340". The motion prevailed.

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported March 7, 1977, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Willet moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported March 7, 1977, the Senate, having given its advice, do now consent to and confirm the appointment of:

WATER RESOURCES BOARD

Merlyn B. Knudson, Box 15, Kettle River, Carlton County, effective December 15, 1976, for a term expiring January 1, 1980.

The motion prevailed. So the appointment was confirmed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Senate Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 76: A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Olson	Spear
Ashbach	Gunderson	Lewis	Penny	Staples
Bang	Hanson	Luther	Perpich	Stokowski
Benedict	Hughes	McCutcheon	Peterson	Strand
Bernhagen	Humphrey	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessen
Coleman	Johnson	Milton	Schaaf	Ueland, A.
Davies	Keefe, J.	Moe	Schmitz	Ulland, J.
Dieterich	Keefe, S.	Nelson	Setzepfandt	Vega
Dunn	Kirchner	Nichols	Sieloff	Wegener
Engler	Knutson	Ogdahl	Sillers	Willet
Frederick	Laufenburger	Olhoft	Solon	

Mr. Sikorski voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 70: A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Penny	Stokowski
Bang	Frederick	Laufenburger	Perpich	Strand
Benedict	Gearty	Lessard	Peterson	Stumpf
Bernhagen	Gunderson	Merriam	Purfeerst	Tennessen
Borden	Hanson	Milton	Renneke	Ueland, A.
Brataas	Hughes	Moe	Schaaf	Vega
Chenoweth	Humphrey	Nelson	Schmitz	Wegener
Coleman	Jensen	Nichols	Setzepfandt	Willet
Davies	Keefe, J.	Ogdahl	Solon	
Dunn	Kirchner	Olhoft	Staples	

Those who voted in the negative were:

Dieterich	Lewis	Menning	Sikorski	Ulland, J.
Johnson	Luther	Olson	Sillers	
Keefe, S.	McCutcheon	Sieloff	Spear	

So the bill passed and its title was agreed to.

S. F. No. 201: A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1976, Section 609.785.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Perpich	Stokowski
Ashbach	Gunderson	Luther	Peterson	Strand
Bang	Hanson	McCutcheon	Purfeerst	Stumpf
Benedict	Hughes	Menning	Renneke	Tennessen
Bernhagen	Humphrey	Merriam	Schaaf	Ueland, A.
Borden	Jensen	Milton	Schmitz	Ulland, J.
Brataas	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nelson	Sieloff	Wegener
Davies	Keefe, S.	Nichols	Sikorski	Willet
Dieterich	Kirchner	Ogdahl	Sillers	
Dunn	Knutson	Olhoft	Solon	
Engler	Laufenburger	Olson	Spear	
Frederick	Lessard	Penny	Staples	

So the bill passed and its title was agreed to.

S. F. No. 166: A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Sections 487.30, by adding a subdivision; 488.04, by adding a subdivision; 488A.01, by adding a subdivision; 488A.12, Subdivision 3; 488A.18, Subdivision 4; 488A.29, Subdivision 3; and 504.20, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Olson	Solon
Ashbach	Frederick	Lessard	Penny	Spear
Bang	Gearty	Lewis	Perpich	Staples
Benedict	Gunderson	Luther	Peterson	Stokowski
Bernhagen	Hanson	McCutcheon	Purfeerst	Strand
Borden	Hughes	Menning	Renneke	Stumpf
Brataas	Humphrey	Merriam	Schaaf	Tennessen
Chenoweth	Jensen	Milton	Schmitz	Ueland, A.
Coleman	Johnson	Moe	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Nelson	Sieloff	Vega
Dieterich	Kirchner	Nichols	Sikorski	Wegener
Dunn	Knutson	Olhoft	Sillers	Willet

Messrs Keefe, J. and Ogdahl voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 200: A bill for an act relating to banking; authorized investments and powers of savings banks; amending Minnesota Statutes 1976, Sections 50.14, Subdivision 5; 50.148; and 50.157.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Penny	Staples
Ashbach	Gearty	Lewis	Perpich	Stokowski
Bang	Gunderson	Luther	Peterson	Strand
Benedict	Hanson	McCutcheon	Purfeerst	Stumpf
Bernhagen	Hughes	Menning	Renneke	Tennessee
Borden	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Milton	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nelson	Sieloff	Wegener
Davies	Keefe, S.	Nichols	Sikorski	Willet
Dieterich	Kirchner	Ogdahl	Sillers	
Dunn	Knutson	Olhoff	Solon	
Engler	Laufenburger	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 254: A bill for an act relating to trusts; clarifying county court jurisdiction over trusts; permitting a trustee or beneficiary of a trust to petition the court to release jurisdiction over certain trusts; amending Minnesota Statutes 1976, Sections 501.11; 501.12, Subdivision 3; 501.17; 501.211, Subdivision 4; 501.22, Subdivisions 2, 4, and 5; 501.23; 501.24; 501.25; 501.27; 501.33; 501.34; 501.35; 501.38; 501.42; 501.44; and Chapter 501, by adding a section.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Penny	Staples
Ashbach	Gearty	Lewis	Perpich	Stokowski
Bang	Gunderson	Luther	Peterson	Strand
Benedict	Hanson	McCutcheon	Purfeerst	Stumpf
Bernhagen	Hughes	Menning	Renneke	Tennessee
Borden	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Milton	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nelson	Sieloff	Wegener
Davies	Keefe, S.	Nichols	Sikorski	Willet
Dieterich	Kirchner	Ogdahl	Sillers	
Dunn	Knutson	Olhoff	Solon	
Engler	Laufenburger	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 188: A bill for an act relating to crimes; correcting references in the laws relating to criminal sexual conduct; amending Minnesota Statutes 1976, Sections 246.43, Subdivision 1; 609.11, Subdivision 1; 609.195; 609.293, Subdivision 5; 609.32, Subdivisions 1, 3, and 4; 609.341, Subdivision 10; and Section 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Section 609.293, Subdivisions 2, 3, and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Ogdahl	Sillers
Ashbach	Frederick	Laufenburger	Olhoft	Solon
Bang	Gearty	Lessard	Olson	Spear
Benedict	Gunderson	Lewis	Penny	Staples
Bernhagen	Hanson	Luther	Perpich	Stokowski
Borden	Hughes	McCutcheon	Peterson	Strand
Brataas	Humphrey	Menning	Purfeerst	Stumpf
Chenoweth	Jensen	Merriam	Renneke	Tennessen
Coleman	Johnson	Milton	Schaaf	Ueland, A.
Davies	Keefe, J.	Moe	Schmitz	Ulland, J.
Dieterich	Keefe, S.	Nelson	Setzepfandt	Vega
Dunn	Kirchner	Nichols	Sikorski	Wegener

Messrs. Sieloff and Willet voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 183: A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Penny	Staples
Ashbach	Gearty	Lewis	Perpich	Stokowski
Bang	Gunderson	Luther	Peterson	Strand
Benedict	Hanson	McCutcheon	Purfeerst	Stumpf
Bernhagen	Hughes	Menning	Renneke	Tennessen
Borden	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Milton	Schmitz	Uliand, J.
Chenoweth	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nelson	Sieloff	Wegener
Davies	Keefe, S.	Nichols	Sikorski	Willet
Dieterich	Kirchner	Ogdahl	Sillers	
Dunn	Knutson	Olhoft	Solon	
Engler	Laufenburger	Olson	Spear	

So the bill passed and its title was agreed to.

S. F. No. 290: A bill for an act relating to banks; amending the charter application appeals provisions; amending Minnesota Statutes 1976, Section 45.07.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Coleman	Engler	Hanson
Ashbach	Borden	Davies	Frederick	Hughes
Bang	Brataas	Dieterich	Gearty	Humphrey
Benedict	Chenoweth	Dunn	Gunderson	Jensen

Johnson	McCutcheon	Olson	Sieloff	Tennessen
Keefe, J.	Menning	Penny	Sikorski	Ueland, A.
Keefe, S.	Merriam	Perpich	Sillers	Ulland, J.
Kirchner	Milton	Peterson	Solon	Vega
Knutson	Moe	Purfeerst	Spear	Wegener
Laufenburger	Nelson	Renneke	Staples	Willet
Lessard	Nichols	Schaaf	Stokowski	
Lewis	Ogdahl	Schmitz	Strand	
Luther	Olhoff	Setzepfandt	Stumpf	

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 12: A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Penny	Spear
Ashbach	Gearty	Lewis	Perpich	Staples
Bang	Gunderson	Luther	Peterson	Stokowski
Benedict	Hanson	McCutcheon	Purfeerst	Strand
Bernhagen	Hughes	Menning	Renneke	Stumpf
Borden	Humphrey	Merriam	Schaaf	Tennessen
Brataas	Jensen	Milton	Schmitz	Ueland, A.
Chenoweth	Johnson	Moe	Schrom	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sikorski	Willet
Dunn	Knutson	Olhoff	Sillers	
Engler	Laufenburger	Olson	Solon	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the committee report on Permanent Rules be taken from the table. The motion prevailed.

Mr. Coleman moved that the foregoing committee report be adopted. The motion prevailed. Report adopted.

Mr. Coleman moved that the rules contained in the committee report be adopted as the Permanent Rules of the Senate.

Mr. Jensen moved to amend Rule 58 as follows:

“ COMMITTEE MEETINGS

58. All meetings of the Senate, its committees and subcommittees shall be open to the public and subject to the provisions of the open meeting law, Minnesota Statutes, Section 471.705.

To the extent practical, the following notice procedure shall be

followed. Meetings of all committees shall be announced to the public at least three calendar days prior to convening. The notice shall state the name of the committee, the bill or bills to be considered, the place and time of meeting. Such The notice shall be posted on all Senate bulletin boards in the Capitol, and the State Office Building. A notice shall be sent to the House of Representatives for posting as it ~~deems~~ may deem necessary."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 45, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Renneke	Ulland, J.
Bang	Engler	Kirchner	Sieloff	
Bernhagen	Frederick	Knutson	Sillers	
Brataas	Jensen	Ogdahl	Ueland, A.	

Those who voted in the negative were:

Anderson	Hanson	McCutcheon	Penny	Solon
Benedict	Hughes	Menning	Perpich	Spear
Borden	Humphrey	Merriam	Peterson	Staples
Chenoweth	Johnson	Milton	Purfeerst	Stokowski
Coleman	Keefe, S.	Moe	Schaaf	Strand
Davies	Laufenburger	Nelson	Schmitz	Stumpf
Dieterich	Lessard	Nichols	Schrom	Vega
Gearty	Lewis	Olhoft	Setzepfandt	Wegener
Gunderson	Luther	Olson	Sikorski	Willet

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

The question recurred on the motion of Mr. Coleman.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 44 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	McCutcheon	Penny	Spear
Benedict	Hughes	Menning	Peterson	Staples
Borden	Humphrey	Merriam	Purfeerst	Stokowski
Chenoweth	Johnson	Milton	Schaaf	Strand
Coleman	Keefe, S.	Moe	Schmitz	Stumpf
Davies	Laufenburger	Nelson	Schrom	Vega
Dieterich	Lessard	Nichols	Setzepfandt	Wegener
Gearty	Lewis	Olhoft	Sikorski	Willet
Gunderson	Luther	Olson	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Renneke	Ulland, J.
Bang	Engler	Kirchner	Sieloff	
Bernhagen	Frederick	Knutson	Sillers	
Brataas	Jensen	Ogdahl	Ueland, A.	

The motion prevailed. So the Permanent Rules were adopted.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, March 14, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate