

## TWENTY-FIFTH DAY

St. Paul, Minnesota, Monday, March 21, 1977

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Edward J. Flahavan.

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

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

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. Borden, Hughes, Merriam, Olson, Schaaf and Sillers were excused from the Session of today.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 18, 1977

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. No. 232.

Sincerely,  
Rudy Perpich, Governor

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Moe introduced—

S. F. No. 837: A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1976, Sections 15.05; 15.052, Subdivision 7; 15A.083, Subdivision 1; 16.72, Subdivision 1; 16A.125, Subdivision 5; 18.411; 18.67; 34.07; 43.31; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 93.283, Subdivision 7; 93.335, Subdivision 4; 94.48; 97.49, Subdivision 7; 115.03, Subdivision 1; 116.41, Subdivision 2; 136A.29, Subdivision 22; 136A.30; 144.175, Subdivision 4; 160.285, Subdivision 3; 163.051, Subdivision 2; 168.16; 168.54, Subdivision 5; 168A.31, Subdivision 1; 186.04; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 299F.21; and 344.03, Subdivision 2; repealing Minnesota Statutes 1976, Sections 1.38; 16A.125, Subdivision 6; 21.114; 33.10; 33.11; 33.12 to 33.15; 33.171; 86.42, Subdivision 2; 94.49; 161.231; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 190.28; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 360.389; 424.165; 458.50 to 458.60; 626.85, Subdivision 2; and Laws 1961, Chapter 472, Section 4, as added.

Referred to the Committee on Finance.

Mr. Moe introduced—

S. F. No. 838: A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1976, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; 638.08; and Laws 1971, Chapter 121, Section 2, as amended; repealing Minnesota Statutes 1976, Sections 7.07; and 144.146, Subdivision 2.

Referred to the Committee on Finance.

Mr. Moe introduced—

S. F. No. 839: A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1976, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352B.25; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83;

354.55, Subdivision 5; 354A.12; 355.46, Subdivision 3; 355.50; 490.123, Subdivision 1; Chapter 16A, by adding a section; repealing Minnesota Statutes 1976, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.

Referred to the Committee on Finance.

Mr. Moe introduced—

S. F. No. 840: A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

Referred to the Committee on Finance.

Messrs. Jensen, Peterson, Knutson, Davies and Keefe, J. introduced—

S. F. No. 841: A bill for an act relating to courts; increasing mileage allowance for district court judges; amending Minnesota Statutes 1976, Section 484.62.

Referred to the Committee on Governmental Operations.

Messrs. Luther, Sikorski, Hanson and Nichols introduced—

S. F. No. 842: A bill for an act relating to crimes; increasing the penal fine of misdemeanors and petty misdemeanors; authorizing local political subdivisions to prescribe increased penal fines for violation of ordinances, charter provisions, and rules or regulations; amending Minnesota Statutes 1976, Sections 169.89, Subdivision 2; 412.231; 609.02, Subdivisions 3 and 4a; 609.03; 609.031; 609.032; and Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Solon, Gearty, Tennessen, McCutcheon and Ashbach introduced—

S. F. No. 843: A bill for an act relating to intoxicating liquor; authorizing issuance of additional on-sale licenses in cities of the first class to bona fide clubs and veterans' organizations; amending Minnesota Statutes 1976, Section 340.11, Subdivision 11.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Bang, Schrom and Wegener introduced—

**S. F. No. 844: A bill for an act relating to taxation; providing for taxation of certain camps; exempting medical rehabilitation and therapeutic camps.**

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson; Ulland, J. and Solon introduced—

**S. F. No. 845: A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.**

Referred to the Committee on Elections.

Messrs. Ueland, A. and Renneke introduced—

**S. F. No. 846: 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. Chenoweth, Coleman, Sikorski and Nichols introduced—

**S. F. No. 847: A bill for an act relating to statutory publications; providing for the distribution of Minnesota Statutes and session laws; amending Minnesota Statutes 1976, Section 648.39, Subdivision 1.**

Referred to the Committee on Governmental Operations.

Messrs. Luther, Knoll, Spear and Keefe, S. introduced—

**S. F. No. 848: A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.**

Referred to the Committee on Judiciary.

Messrs. Solon; Ulland, J. and Johnson introduced—

**S. F. No. 849: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.**

Referred to the Committee on Local Government.

Messrs. Solon; Ulland, J.; Johnson and Perpich introduced—

**S. F. No. 850: A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.**

Referred to the Committee on Judiciary.

Messrs. Solon, Johnson and Perpich introduced—

S. F. No. 851: A bill for an act relating to St. Louis county; fees for tax search certificate; amending Laws 1955, Chapter 633, Section 1, Subdivision 2.

Referred to the Committee on Local Government.

Mr. Perpich introduced—

S. F. No. 852: A bill for an act relating to retirement; police and firemen's relief associations of the city of Chisholm.

Referred to the Committee on Governmental Operations.

Messrs. Ulland, J. and Solon introduced—

S. F. No. 853: A bill for an act relating to the city of Duluth; requiring automatic sprinkling systems in residences for the elderly.

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

Messrs. Solon and Ulland, J. introduced—

S. F. No. 854: A bill for an act relating to the city of Duluth; firemen's survivor benefits; amending Laws 1975, Chapter 127, Section 2, as amended.

Referred to the Committee on Governmental Operations.

Messrs. Johnson and Solon introduced—

S. F. No. 855: A bill for an act relating to St. Louis county; automobile expenses of county commissioners; amending Laws 1959, Chapter 301, Section 1.

Referred to the Committee on Local Government.

Mr. Peterson, Mrs. Staples, Messrs. Solon, Knutson and Hanson introduced—

S. F. No. 856: A bill for an act relating to administrative procedure; requiring state agencies to estimate the economic impact of proposed rules upon agencies and persons affected thereby; providing for the preparation of economic impact statements under certain circumstances; amending Minnesota Statutes 1976, Sections 15.0411, by adding subdivisions; 15.0412, Subdivision 4, and by adding subdivisions.

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

Messrs. Spear, Coleman, Schaaf and Mrs. Staples introduced—

S. F. No. 857: A bill for an act relating to crimes; increasing penalties for certain acts related to prostitution; prohibiting solicitation on public streets; amending Minnesota Statutes 1976, Section 609.32; repealing Minnesota Statutes 1976, Sections 609.293; 609.34; 609.36 and 609.725.

Referred to the Committee on Judiciary.

Messrs. Nichols, Schmitz, Johnson, Gunderson and Penny introduced—

S. F. No. 858: A bill for an act relating to cosmetology; providing for a change in the compensation for certain board members; amending Minnesota Statutes 1976, Section 155.08.

Referred to the Committee on Governmental Operations.

Messrs. Solon; Vega; Keefe, J. and Lewis introduced—

S. F. No. 859: A bill for an act relating to health; health maintenance organizations; requiring health maintenance organizations to permit optometrists to provide services to enrollees; amending Minnesota Statutes 1976, Section 62D.12, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Ulland, J. and Solon introduced—

S. F. No. 860: A bill for an act relating to courts; county court districts; judges; prescribing the areas where the county court judges of St. Louis county shall reside, serve in, and be elected from; amending Minnesota Statutes 1976, Section 487.01, Subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Kirchner; Knutson; Mrs. Staples and Mr. Penny introduced—

S. F. No. 861: A bill for an act relating to public welfare; providing for allocation of fees collected by community mental health programs.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hughes, Dunn, Nichols, Humphrey and Anderson introduced—

S. F. No. 862: A bill for an act relating to education; encouraging school boards to issue competency certificates to certain students; removing the age limitations on the taking of G.E.D. tests by secondary school students and allowing the charging of fees therefor.

Referred to the Committee on Education.

Messrs. Hughes and Sikorski introduced—

S. F. No. 863: A bill for an act relating to taxation; authorizing retroactive payments for certain claimants of income adjusted homestead credit; amending Laws 1976, Chapter 334, Section 21.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam; Schaaf; Keefe, J. and Anderson introduced—

S. F. No. 864: A bill for an act relating to health; vital statistics; permitting access to vital statistical records by certain qualified persons; amending Minnesota Statutes 1976, Section 144.175, Subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Schaaf and Benedict introduced—

S. F. No. 865: A bill for an act relating to taxation; imposing a tax on liquor sold for resale by the drink; providing for the distribution of the proceeds to local units of government to meet the costs of enforcement of laws relating to driving offenses involving alcohol or drugs; requiring payment of certain costs by persons receiving treatment, care or rehabilitation for alcoholism; providing penalties; appropriating funds; amending Minnesota Statutes 1976, Chapters 169 and 340, by adding sections.

Referred to the Committee on Judiciary.

Messrs. Merriam, Schaaf and Chenoweth introduced—

S. F. No. 866: A bill for an act relating to metropolitan government; watershed districts; requiring review of certain watershed district plans by the metropolitan council; amending Minnesota Statutes 1976, Section 473.852, Subdivisions 3 and 7; and Chapter 473, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Knoll, Sikorski, Willet, Ogdahl and Humphrey introduced—

S. F. No. 867: A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivision 7; 462A.21, Subdivisions 4b and 5; and 462A.22, Subdivision 1.

Referred to the Committee on Energy and Housing.

Messrs. Schmitz, Engler, Renneke and Purfeerst introduced—

S. F. No. 868: A bill for an act relating to hazardous wastes; prohibiting their transportation into this state for disposal; pre-

scribing penalties; amending Minnesota Statutes 1976, Section 116.081, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dunn, Bernhagen, Anderson, Setzepfandt and Chmielewski introduced—

S. F. No. 869: A bill for an act relating to regional development commissions; their membership and officers; removing public interest members; providing for selection of the chairman and board of directors from among commission membership; removing obsolete provisions; amending Minnesota Statutes 1976, Section 462.388, Subdivisions 1 and 5; repealing Minnesota Statutes 1976, Section 462.388, Subdivision 4.

Referred to the Committee on Local Government.

Messrs. Dunn, Anderson, Chmielewski and Wegener introduced—

S. F. No. 870: A bill for an act relating to education; community colleges; appropriating money to build a community college at Cambridge; amending Laws 1973, Chapter 777, Section 13, Subdivision 2.

Referred to the Committee on Education.

Messrs. Luther, Vega, Benedict, Spear and Laufenburger introduced—

S. F. No. 871: A bill for an act relating to labor; prohibiting the use of certain detection devices; providing a penalty.

Referred to the Committee on Employment.

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

S. F. No. 872: A bill for an act relating to state government; transferring certain functions of the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 246.02, Subdivision 2; 253.015; and 254.05.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olhoft; Keefe, S.; Solon; Benedict and Bernhagen introduced—

S. F. No. 873: A bill for an act relating to compensation insurance; prohibiting rate variations by size of payroll within a risk classification; authorizing a minimum premium; amending Minnesota Statutes 1976, Section 79.20.



Referred to the Committee on Commerce.

Messrs. Johnson, Benedict, Nelson, McCutcheon and Menning introduced—

S. F. No. 874: A bill for an act relating to taxation; providing a tax credit for aged and disabled persons paying residential heating charges; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Humphrey, Benedict, Spear and Pillsbury introduced—

S. F. No. 875: A bill for an act relating to the county of Hennepin; duties of personnel board; providing for referral of eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

Referred to the Committee on Local Government.

Mrs. Staples, Messrs. Humphrey, Benedict, Sikorski and Lewis introduced—

S. F. No. 876: A bill for an act relating to the juvenile court; authorizing the court to direct public agencies to offer appropriate human services under certain circumstances to members of a delinquent child's family; amending Minnesota Statutes 1976, Section 260.185, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Purfeerst, Sillers, Olson and Peterson introduced—

S. F. No. 877: A bill for an act relating to workers' compensation; excluding family farm corporations; amending Minnesota Statutes 1976, Section 176.041, Subdivision 1.

Referred to the Committee on Employment.

Messrs. Laufenburger, Kirchner, Purfeerst, Stokowski and Kleinbaum introduced—

S. F. No. 878: A bill for an act relating to retirement; hospital and medical benefits for retired or disabled state officials and employees; appropriating funds; amending Minnesota Statutes 1976, Chapter 43, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Olson, Dunn and Wegener introduced—

S. F. No. 879: A bill for an act relating to taxation; increasing

inheritance tax exemption for adult children, brothers and sisters and certain other heirs of deceased; amending Minnesota Statutes 1976, Section 291.05.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Vega, Purfeerst, Schmitz and Wegener introduced—

S. F. No. 880: A bill for an act relating to towns; granting certain towns the powers of statutory cities.

Referred to the Committee on Local Government.

Messrs. Benedict, Bang and Kirchner introduced—

S. F. No. 881: A bill for an act relating to elections; permitting electronic voting systems for absentee voters; amending Minnesota Statutes 1976, Section 206.07, by adding a subdivision.

Referred to the Committee on Elections.

Messrs. Benedict, Bang and Kirchner introduced—

S. F. No. 882: A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1976, Section 206.185, Subdivision 5, and by adding a subdivision.

Referred to the Committee on Elections.

Messrs. Milton, Kirchner, Lewis, Perpich and Coleman introduced—

S. F. No. 883: A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Kirchner introduced—

S. F. No. 884: A bill for an act relating to motor vehicles; requiring that certain optional insurance coverage be offered motorcycle owners; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing operating rules; amending Minnesota Statutes 1976, Sections 65B.48, Subdivision 5; 65B.49, by adding a subdivision; 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 169.01, Subdivision 4, and by adding a subdivision; 169.221, Subdivisions 1 and 4, and by adding a subdivision; 169.305, Subdivision 1; and 169.974, Subdivision 4.

Referred to the Committee on Transportation.

Messrs. Chenoweth, McCutcheon, Hughes, Coleman and Sieloff introduced—

S. F. No. 885: A bill for an act relating to Ramsey county; providing state assistance for the retention and treatment of storm-water flowing into Lake Phalen; appropriating money.

Referred to the Committee on Local Government.

Messrs. Dunn, Frederick, Engler, Renneke and Keefe, J. introduced—

S. F. No. 886: A bill for an act relating to meetings of official bodies; extending the open meeting law to the legislature; amending Minnesota Statutes 1976, Section 471.705, Subdivision 1.

Referred to the Committee on Rules and Administration.

Messrs. Nichols, Strand, Setzepfandt, Hanson and Menning introduced—

S. F. No. 887: A bill for an act relating to public water and sewer improvements; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing an accounting system; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2, 4, and by adding a subdivision; 116A.02, by adding a subdivision; 116A.09; 116A.11, Subdivision 4; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; 116A.24, Subdivisions 2 and 3, and by adding a subdivision; and Chapter 116A, by adding a section.

Referred to the Committee on Local Government.

Mr. Pillsbury introduced—

S. F. No. 888: A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

Referred to the Committee on Governmental Operations.

Messrs. Humphrey, Solon and Ashbach introduced—

S. F. No. 889: A bill for an act appropriating money for public radio purposes; providing grants for public radio stations serving Minnesota; providing for supervision of grant expenditures.

Referred to the Committee on Governmental Operations.

Mr. Knoll introduced—

S. F. No. 890: A bill for an act relating to housing; providing for eligibility of cooperatives to receive loans and mortgages; authorizing the agency to enter into multifamily housing rehabilitation agreements with local governmental units; establishing a

program of technical assistance to multifamily housing applicants proposing participation in ownership and management by residents; amending Minnesota Statutes 1976, Sections 462A.03, Subdivision 13; 462A.05, Subdivision 5; and 462A.07, by adding subdivisions.

Referred to the Committee on Energy and Housing.

Mr. Davies introduced—

S. F. No. 891: A bill for an act relating to juries; enacting the uniform juror selection and service act; providing for the selection and service of grand and petit jurors; providing penalties; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 357.26; 488A.07; 546.09; 593.03; 593.04; 593.05; 593.06; 593.07; 593.09; 593.10; 593.11; 593.12; 593.13; 593.14; 593.20; 628.42; 628.43; 628.44; 628.45; 628.46; 628.47; 628.49; 628.50; 628.51; 628.52; 628.53; and 631.33.

Referred to the Committee on Judiciary.

Messrs. Luther, Hanson, Strand and Sikorski introduced—

S. F. No. 892: A bill for an act relating to highway traffic regulations; driving, operating or being in physical control of a motor vehicle while under the influence of alcohol, drugs and controlled substances; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121, Subdivisions 1 and 6, and by adding subdivisions; 169.123, Subdivisions 1, 4, and 6, and by adding subdivisions; 169.127, Subdivisions 1, 2, 3 and 5, and by adding a subdivision; 171.245; and Chapter 169, by adding a section; repealing Minnesota Statutes 1976, Sections 169.121, Subdivisions 2, 3, 4, 5 and 7; 169.123, Subdivision 2; and 169.127, Subdivisions 4 and 6.

Referred to the Committee on Judiciary.

Messrs. Lewis, Milton and Kirchner introduced—

S. F. No. 893: A bill for an act relating to public health; changing definitions of review organizations; changing provisions concerning information supplies and records of review organizations; amending Minnesota Statutes 1976, Sections 145.61, Subdivisions 4, 4a, 5, and by adding a subdivision; 145.62; 145.64 and 145.65.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Setzepfandt, Gearty and Borden introduced—

S. F. No. 894: A bill for an act relating to state employees; permitting certain wage deductions; amending Minnesota Statutes 1976, Section 10.39, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Keefe, S.; Merriam; Johnson; Coleman and Ogdahl introduced—

S. F. No. 895: A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

Referred to the Committee on Governmental Operations.

Messrs. Merriam, Olhoft and Schrom introduced—

S. F. No. 896: A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivision 3, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; 116C.69; and Chapter 116C, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum, Ogdahl and Lewis introduced—

S. F. No. 897: A bill for an act relating to crime victims reparations; eliminating the minimum claim amount necessary for reparations; raising the amount of reparations paid to claimants suffering economic loss; amending Minnesota Statutes 1976, Sections 299B.03, Subdivision 2; and 299B.04.

Referred to the Committee on Health, Welfare and Corrections.

#### 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. 200.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 1977

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 45 and 382.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1977

### FIRST READING OF HOUSE BILLS

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

H. F. No. 45: A bill for an act relating to environmental protection; prohibiting retail sale of milk in nonreturnable, non-refillable plastic containers; prescribing penalties.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 382: A bill for an act relating to highway traffic regulations; motorcycle equipment for operators and passengers; noise regulations; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4, and by adding a subdivision; and Chapter 169, by adding a section.

Referred to the Committee on Rules and Administration for comparison to S. F. No. 271, now on General Orders.

### REPORTS OF COMMITTEES

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 18: A bill for an act relating to elections; making false campaign statements unlawful; providing a penalty; amending Minnesota Statutes 1976, Section 210A.03.

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, Chapter 210A, is amended by adding a section to read:

[210A.045] [FALSE STATEMENTS.] *Any person, firm, corporation or committee who, with knowledge that the statement is false or with reckless disregard of whether it is false or not, makes, publishes or causes to be published any false statement with respect to any identifiable candidate which statement is designed or tends to affect the voting at an election is guilty of a misdemeanor.*

Sec. 2. Minnesota Statutes 1976, Section 210A.04, Subdivision 1, is amended to read:

210A.04 [DEFAMATORY CIRCULARS; PENALTY.] Subdivision 1. Every person who writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed, except by broadcasting, any circular, poster, or other written or printed matter containing false information with respect to the personal or political character or acts of any *identifiable* candidate, which is designed or tends to elect, injure or defeat ~~any~~ *that* candidate for nomination or election to a public office, *and who does so with*

*knowledge that the information is false or with reckless disregard of whether it is false or not, shall be guilty of a gross misdemeanor."*

Amend the title as follows:

Page 1, line 3, after "unlawful;" insert "changing the standard for proof of defamation;"

Page 1, line 4, strike "210A.03" and insert "210A.04, Subdivision 1, and Chapter 210A, by adding a section"

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

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 292: A bill for an act relating to taxation; altering standard for determining eligibility for income tax credit given deaf persons; amending Minnesota Statutes 1976, Section 290.06, Subdivision 3c.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

H. F. No. 260: A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 217: A bill for an act relating to veterans; clarifying the definition of "veteran" for purposes of the purchase of tax-forfeited land; amending Minnesota Statutes 1976, Section 282.031; repealing Laws 1973, Chapter 700, Section 2.

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

Mr. Olson from the Committee on General Legislation and Veterans Affairs, to which was referred

S. F. No. 606: A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976, Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

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

Page 7, line 18, strike "334.01" and insert "475.55"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "removing limitation

on the cost of construction and financing armories; raising permissible mill levy for”

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 83: A bill for an act relating to the eastern timber wolf; urging the Secretary of the Interior to return management control of the eastern timber wolf to the state of Minnesota.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Agriculture and Natural Resources. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 141: A bill for an act relating to highway traffic regulations; prohibiting the manufacture, sale or purchase of certain equipment, and the installation or use thereof in motor vehicles; providing for the seizure, confiscation and disposition thereof; prescribing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for February 28, 1977, that “when so amended the bill do pass” be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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 report from the Committee on Transportation shown in the Journal for March 10, 1977, that “when so amended the bill do pass” be adopted. Amendments adopted. Report adopted.

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

S. F. No. 478: A bill for an act relating to cities; amending the definition of first class cities; amending Minnesota Statutes 1976, Section 410.01.

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

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



S. F. No. 57: A bill for an act relating to local control of campus liquor policy; amending Minnesota Statutes 1976, Section 624.701, Subdivision 1.

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

Page 2, line 1, strike "or on"

Page 2, line 2, after "or" insert "on its"

Page 2, line 2, after "grounds" strike ", but" and insert "; however, this possession shall be allowed"

Page 2, line 3, strike "in the"

Page 2, line 4, strike "case"

Page 2, line 4, after "of" insert "each"

Page 2, line 4, strike "institutions" and insert "post-secondary institution"

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

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

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.

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

Mr. Laufenburger from the Committee on Employment, to which was referred

H. F. No. 6: A bill for an act relating to human rights; prohibiting employment and education discrimination based on age; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1, and by adding a subdivision; 363.03, Subdivisions 1 and 5, and by adding a subdivision; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

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

Page 2, line 11, after "(4)" insert "An age restriction established by a bona fide apprenticeship program established pursuant to Minnesota Statutes 1976, Chapter 178, which limits participation to persons who enter the program prior to some specified age and the trade involved in the program involves heavy physical labor or work in cramped uncomfortable positions; or work on high structures; or outdoor work involving exposure to extreme weather conditions. Neither shall"

Page 2, line 14, strike ", shall not"

Page 2, line 23, strike the period and insert a semicolon

Page 2, after line 23, insert:

*“(6) A restriction imposed by state statute, home rule charter, ordinance, or civil service rule, which establishes a maximum age for entry into employment as a peace officer or firefighter.”*

Page 3, after line 9, insert:

“Sec. 4. Minnesota Statutes 1976, Section 363.02, is amended by adding a subdivision to read:

*Subd. 7. [SUMMER YOUTH EMPLOYMENT PROGRAM.] The provisions of section 363.03, subdivision 1, with regard to age shall not apply to the state summer youth employment program administered by the commissioner of employment services.”*

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 6, strike “a subdivision” and insert “subdivisions”

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. Nos. 775, 531, 592, 555, 594, 691, 675, 731, 638, 485, 759, 776, 771, 644, 721, 729, 764, 566, 627, 677, 751 and H. F. No. 212 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 775 to the Committee on Commerce.

S. F. Nos. 531 and 592 to the Committee on Education.

S. F. Nos. 555, 594, 691, 675 and 731 and H. F. 212 to the Committee on Employment.

S. F. No. 638 to the Committee on Finance.

S. F. Nos. 485, 759 and 776 to the Committee on Governmental Operations.

S. F. No. 771 to the Committee on Health, Welfare and Corrections.

S. F. Nos. 644, 721, 729 and 764 to the Committee on Judiciary.

S. F. Nos. 566, 627 and 677 to the Committee on Local Government.

S. F. No. 751 to the Committee on Transportation.

Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 383 for comparison to its companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
383	333				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 383 be amended as follows:

Page 1, line 18, reinstate the stricken language

Page 2, line 12, reinstate the stricken language

Page 3, line 2, reinstate the stricken language

And when so amended, H. F. No. 383 will be identical to S. F. No. 333 and further recommends that H. F. No. 383 be given its second reading and substituted for S. F. No. 333 and that the Senate File be indefinitely postponed.

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

#### SECOND READING OF SENATE BILLS

S. F. Nos. 18, 292, 217, 606, 141, 270, 57 and 478 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. Nos. 260 and 383 were read the second time.

H. F. No. 291 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. Lessard be added as co-author to S. F. No. 777. The motion prevailed.

Mr. Benedict moved that the name of Mr. Keefe, S. be added as co-author to S. F. No. 788. The motion prevailed.

Mr. Anderson moved that the name of Mr. Sikorski be added as co-author to S. F. No. 808. The motion prevailed.

Mr. Johnson moved that the name of Mr. Nelson be added as co-author to S. F. No. 834. The motion prevailed.

Mr. Chenoweth moved that the name of Mr. Laufenburger be added as co-author to S. F. No. 835. The motion prevailed.

Mr. Coleman moved that Senate Concurrent Resolution No. 7 be taken from the table. The motion prevailed.

Senate Concurrent Resolution No. 7: A senate concurrent resolution relating to joint rules; providing for joint rules for the Legislature of the State of Minnesota.

Mr. Coleman moved to adopt the foregoing resolution.

Mr. Ashbach moved to amend proposed Joint Rule 2.06 by adding a new paragraph after the third paragraph as follows:

*"A conference committee shall confine itself to differences of*

*opinion between the houses. A conference committee report shall not insert new matters not referred to in either the Senate or the House version."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 42, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Humphrey	McCutcheon	Peterson	Strand
Benedict	Johnson	Menning	Purfeerst	Stumpf
Chenoweth	Keefe, S.	Milton	Schmitz	Tennessee
Chmielewski	Kleinbaum	Moe	Setzepfandt	Vega
Coleman	Knoll	Nelson	Sikorski	Wegener
Davies	Laufenburger	Nichols	Solon	Willet
Gearty	Lessard	Olhoft	Spear	
Gunderson	Lewis	Penny	Staples	
Hanson	Luther	Perpich	Stokowski	

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

The question recurred on the motion of Mr. Coleman to adopt Senate Concurrent Resolution No. 7. The motion prevailed. So the resolution was adopted.

### THIRD READING OF HOUSE BILLS

H. F. No. 38: A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

With the unanimous consent of the Senate, Mr. Sikorski moved to amend H. F. No. 38 as follows:

Page 4, line 23, strike "*subdivision 2*" and insert "*subdivisions 2 and 3*"

Page 4, line 27, strike "*subdivision 2*" and insert "*subdivisions 2 and 3*"

The motion prevailed. So the amendment was adopted.

H. F. No. 38 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 55 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Engler	Humphrey	Kleinbaum
Bang	Coleman	Frederick	Johnson	Knoll
Benedict	Davies	Gearty	Keefe, J.	Knutson
Bernhagen	Dieterich	Gunderson	Keefe, S.	Laufenburger
Brataas	Dunn	Hanson	Kirchner	Lessard

Lewis	Nelson	Peterson	Solon	Tennessee
Luther	Nichols	Pillsbury	Spear	Ueland, A.
McCutcheon	Ogdahl	Schmitz	Staples	Ulland, J.
Menning	Olhoft	Setzepfandt	Stokowski	Vega
Milton	Penny	Sieloff	Strand	Wegener
Moe	Perpich	Sikorski	Stumpf	Willet

Those who voted in the negative were:

Ashbach      Chmielewski      Jensen      Renneke      Schrom

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

#### CONSENT CALENDAR

S. F. No. 456: A bill for an act relating to elections; allowing municipalities to open polling places at 6:00 a.m.; amending Minnesota Statutes 1976, Section 204A.05, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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	Davies	Jensen	Lessard	Ogdahl
Ashbach	Dieterich	Johnson	Lewis	Olhoft
Bang	Dunn	Keefe, J.	Luther	Penny
Benedict	Engler	Keefe, S.	McCutcheon	Perpich
Bernhagen	Frederick	Kirchner	Menning	Peterson
Brataas	Gearty	Kleinbaum	Milton	Pillsbury
Chenoweth	Gunderson	Knoll	Moe	Purfeerst
Chmielewski	Hanson	Knutson	Nelson	Renneke
Coleman	Humphrey	Laufenburger	Nichols	Schmitz

Schrom	Solon	Stokowski	Tennessee	Vega
Setzepfandt	Spear	Strand	Ueland, A.	Wegener
Sieloff	Staples	Stumpf	Ulland, J.	Willet
Sikorski				

So the bill passed and its title was agreed to.

#### GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 305, 147, 380, 78, 86, 189, 114 and 26 which the committee recommends to pass.

S. F. No. 74, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, line 9, strike "the"

Page 1, strike line 10, and insert:

"on January 1, 1978."

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 24, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate