

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1975

TENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 3, 1975

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Mann and Voss were excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. No. 28 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

January 30, 1975

The Honorable Martin O. Sabo
Speaker of the House
State of Minnesota

Dear Sir:

The following appointments to the State Ethics Commission are hereby submitted to the House of Representatives for confirmation as required by law:

Irene Scott, 5416 - 28th Avenue South, Minneapolis, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1978.

David Durenberger, 4887 East Lake Harriet Boulevard, Minneapolis, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1978.

Judge Spencer Sokolowski, 10334 N.W. Mississippi Boulevard, Coon Rapids, Anoka County, effective April 29, 1974, for a term expiring April 29, 1977.

Stanley W. Holmquist, Grove City, Meeker County, effective April 29, 1974, for a term expiring April 29, 1976.

Mrs. Rosemary Davis, 2924 Xenwood Avenue, St. Louis Park, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1976.

Mrs. Elizabeth Ebbott, 409 Birchwood Avenue, Birchwood, Washington County, effective April 29, 1974, for a term expiring April 29, 1975.

Sincerely,

WENDELL R. ANDERSON
Governor

The communication was referred to the Committee on General Legislation and Veterans Affairs.

REPORTS OF STANDING COMMITTEES

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 135, A bill for an act relating to taxation; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigarettes; amending Minnesota Statutes 1974, Section 297.08, Subdivisions 1 and 2, and by adding a subdivision.

Reported the same back with the following amendment:

Page 3, line 19, delete "ten" and insert "thirty".

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 136, A bill for an act relating to taxation; changing date and method of distribution of homestead credit aid and certain other aids; providing for certification of homestead credit on abstract of tax list; defining census for purpose of levy limitation; providing for payment date of certain taconite taxes and taconite and taconite railroad tax aids; amending Minnesota Statutes 1974, Sections 124.03, Subdivision 3; 270.11, Subdivision 2; 273.13, Subdivision 15a; 275.29; 275.53, Subdivision 1; 294.26; 298.27; 298.28, Subdivision 1; 298.281, Subdivision 1; 298.282, Subdivision 4; and 298.32.

Reported the same back with the following amendments:

Page 1, line 18, strike "1/3".

Page 1, strike line 19.

Page 1, line 20, strike "assessment and 2.76 2/3".

Page 2, line 12, strike "On or before May 31, 1972, the commissioner of" and insert the following:

"For the year 1975 and subsequent years, the commissioner of revenue shall pay to the school district the amount certified by the commissioner to be due to the district. One half of the amount due shall be paid on or before July 15, but no earlier than

July 1, and the remainder shall be paid on or before November 15."

Page 2, strike lines 13 through 28.

Page 2, line 31, strike "finance" and insert "revenue".

Page 8, line 17, delete "and" and insert "together with a remittance equal to 90 percent of the estimated tax required to be paid hereunder on or before April 15. On or before February 25, the commissioner of revenue shall make distribution of such estimated payment in the manner provided by section 298.28."

Page 9, line 1, strike "for penalties and".

Page 9, line 5, after the period insert "If any person subject to sections 298.24 and 298.241 shall fail to make the report provided for in this section at the time and in the manner herein provided, the commissioner of revenue shall in such case, upon such information as he may possess or obtain, ascertain the kind and amount of ore mined or produced and thereon find and determine the amount of the tax due from such person. There shall be added to the amount of tax due a penalty for failure to report on or before February 15, which penalty shall equal ten percent of the tax imposed and be treated as a part thereof."

If any person required to make an estimated tax payment at the time and in the manner herein provided, and fails to do so, there shall be imposed a penalty equal to ten percent of the amount so due, which penalty shall be treated as part of the tax due.

In the case of any underpayment of the estimated tax payment required herein, there may be added and be treated as part of the tax due a penalty equal to ten percent of the amount so underpaid.

If any portion of the tax provided for in sections 298.24 and 298.241 is not paid before the fifteenth day of April of the year in which due and payable, a penalty of ten percent of such unpaid portion shall immediately accrue, and thereafter one percent per month shall be added to such tax and penalty while such tax remains unpaid."

Page 9, line 9, strike "be".

Page 9, line 10, strike "distributed by the state treasurer".

Page 9, line 11, strike "and" and insert ", be paid by the commissioner of revenue".

Page 9, line 12, delete "*the commissioner of revenue shall pay*".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 21, A bill for an act relating to motor vehicle registration; exempting trailers used by farmers to carry liquid fertilizer from licensing requirements; amending Minnesota Statutes 1974, Section 168.012, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 87, A bill for an act relating to highway traffic regulations; evidence of speed of a motor vehicle through radar or other speedalyzer devices; standards required for admission as evidence; amending Minnesota Statutes 1974, Section 169.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, strike "*adequate*" and insert "*sufficient*".

Page 1, line 16, after "*training*" insert "*to properly operate the equipment*".

Page 1, line 21, after "*mechanism*" insert "*method,*".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 135, 136 and 87 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kelly, R.; Sieben, M.; Schumacher; Simoneau; and Sieloff introduced:

H. F. No. 232, A bill for an act relating to commerce; removing certain responsibilities for bedding from the department of labor and industry; providing penalties for mislabeling of bedding; amending Minnesota Statutes 1974, Sections 325.30; 325.32; repealing Minnesota Statutes 1974, Sections 325.28; and 325.29.

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

McEachern; Johnson, D.; Kahn; and Dieterich introduced:

H. F. 233, A bill for an act relating to motor vehicles; manufacturer's responsibility pursuant to new vehicle warranties.

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

Nelson; Ulland; Kelly, W.; Berglin; and Johnson, D., introduced:

H. F. No. 234, A bill for an act relating to highway traffic regulations; allowing the transportation of hockey sticks on school buses; amending Minnesota Statutes 1974, Section 169.44, by adding a subdivision.

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

Graba; Johnson, C.; Anderson, I.; Stanton; and Adams, S. introduced:

H. F. No. 235, A bill for an act relating to education; providing for aids to post-secondary vocational education and for tax levies; changing the funding of post-secondary vocational education to a current funding basis; appropriating money; amending Minnesota Statutes 1974, Sections 121.21, Subdivisions 2 and 6; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.57; 275.125, Subdivision 3, and by adding subdivisions; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; and Laws 1971, Chapter 722, Section 1; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; and 121.211; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

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

Braun; Begich; Adams, L.; Ulland; and Schumacher introduced:

H. F. No. 236, A bill for an act relating to the regulation and control of junk yards adjacent to trunk highways; prohibiting unauthorized junk yards; amending Minnesota Statutes 1974, Section 161.242, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kempe, A.; Fudro; Sieben, H.; and Metzen introduced:

H. F. No. 237, A bill for an act relating to game and fish; license exemption for certain persons; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 2; and 98.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, G.; Setzepfandt; Fjoslien; Johnson, C.; and Smogard introduced:

H. F. No. 238, A bill for an act relating to game and fish; restrictions upon the taking of pheasants; amending Minnesota Statutes 1974, Sections 100.27, Subdivision 5; and 100.28, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sherwood, Munger, Hanson, Hokanson, and Searle introduced:

H. F. No. 239, A bill for an act relating to natural resources; authorizing acquisition of perpetual conservation restrictions by the commissioner of natural resources and certain nonprofit corporations; amending Minnesota Statutes 1974, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sherwood, Kalis, Beauchamp, Samuelson, and Ketola introduced:

H. F. No. 240, A bill for an act relating to game and fish; methods of taking bear; providing a penalty; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Biersdorf, Munger, Jude, Zubay, and Patton introduced:

H. F. No. 241, A bill for an act relating to waters and water safety; requiring scuba divers to place flags; amending Minnesota Statutes 1974, Chapter 361, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Knickerbocker, Vento, Biersdorf, McCarron, and Friedrich introduced:

H. F. No. 242, A bill for an act relating to elections; registration of voters; requiring corroborating identification; amending Minnesota Statutes 1974, Section 201.061, Subdivision 3.

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

Knickerbocker, Tomlinson, Vento, McCarron, and Friedrich introduced:

H. F. No. 243, A bill for an act relating to elections; registration of voters; registration cards; amending Minnesota Statutes 1974, Sections 201.061, Subdivision 3; and 201.071, Subdivision 1.

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

Enebo, Kahn, Arlandson, Knickerbocker, and Clark introduced:

H. F. No. 244, A bill for an act relating to elections; waiving filing fees for indigent candidates; amending Minnesota Statutes 1974, Section 202.05, by adding a subdivision.

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

Jude, McEachern, Reding, Berglin, and Jopp introduced:

H. F. No. 245, A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

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

Enebo, St. Onge, Heinitz, Rice, and Anderson, I., introduced:

H. F. No. 246, A bill for an act relating to campaigns for public office; amending Minnesota Statutes 1974, Chapter 10A, by adding a section.

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

Erickson, Eckstein, DeGroat, Mann, and Eken introduced:

H. F. No. 247, A bill for an act relating to administrative procedure; creating a hearings officer's division in the department of administration; amending Minnesota Statutes 1974, Sections 15.0412, Subdivision 4; 15.0421; and Chapter 15, by adding sections.

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

Faricy, McEachern, Dahl, Byrne, and Laidig introduced:

H. F. No. 248, A bill for an act relating to municipalities; providing for negotiation of contracts between municipalities and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

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

Fudro, Sarna, Schreiber, Biersdorf, and Simoneau introduced:

H. F. No. 249, A bill for an act relating to eminent domain; appraisal fees in acquisition by direct purchase; filing of final certificate; amending Minnesota Statutes 1974, Sections 117.205; and 117.232, Subdivision 1.

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

Metzen; Sarna; Osthoff; Anderson, I.; and Heinritz introduced:

H. F. No. 250, A bill for an act relating to liquor; abolishing the office of liquor control commissioner and transferring the powers and duties thereof to the departments of public safety and revenue; amending Minnesota Statutes 1974, Chapter 299A, by adding a section; Sections 340.08, Subdivisions 1 and 2; 340.09, Subdivision 1; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 340.08, Subdivision 3; 340.401, Subdivision 7; 340.485, Subdivision 4; and 340.491.

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

Fudro, Sarna, Schreiber, Biersdorf, and Simoneau introduced:

H. F. No. 251, A bill for an act relating to eminent domain; possession; amending Minnesota Statutes 1974, Section 117.042.

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

Doty; Simoneau; Johnson, D.; Patton; and Wenzel introduced:

H. F. No. 252, A bill for an act relating to the operation of state government; equalizing reimbursement for members of boards and commissions.

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

Doty; Simoneau; Johnson, D.; Patton; and Clawson introduced:

H. F. No. 253, A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes 1974, Section 43.329.

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

Philbrook, Osthoff, Neisen, Hanson, and Dieterich introduced:

H. F. No. 254, A bill for an act relating to the city of Roseville; firemen's relief association service pensions; amending Laws 1973, Chapter 464, Section 2.

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

Samuelson; McCarron; Jacobs; Sieben, H.; and Hanson introduced:

H. F. No. 255, A bill for an act relating to appropriations; appropriating money for transitional expenses of certain welfare and corrections employees.

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

Smith; Fugina; Anderson, G.; Petrafeso; and Dahl introduced:

H. F. No. 256, A bill for an act relating to education; establishing a program of tuition supplements and equivalency credits for the Minnesota national guard; appropriating money.

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

St. Onge, Fugina, Erickson, Patton, and Kroening introduced:

H. F. No. 257, A bill for an act relating to education; creating a senior citizens higher education program for certain resident senior citizens.

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

Patton; Carlson, A.; Dieterich; and Luther introduced:

H. F. No. 258, A bill for an act relating to highway traffic regulations; driving while intoxicated; stay of sentence for treatment for chemical dependency; presentence investigation; extending implied consent to unconscious drivers; amending Minnesota Statutes 1974, Sections 169.121, Subdivision 6, and by adding a subdivision.

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

Schreiber; Sieben, H.; Jacobs; Jude; and Knickerbocker introduced:

H. F. No. 259, A bill for an act relating to real estate; restricting the filing and recording of certain conveyances; amending Minnesota Statutes 1974, Section 462.358, Subdivision 4.

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

Kahn, Enebo, Moe, Berglin, and Laidig introduced:

H. F. No. 260, A bill for an act relating to discrimination; prohibiting discrimination in employment and education because of age; amending Minnesota Statutes 1974, Sections 363.02, by adding a subdivision; 363.03, Subdivisions 1 and 5; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Enebo, St. Onge, McCauley, Byrne, and Pehler introduced:

H. F. No. 261, A bill for an act relating to labor; public employment labor relations; rights and obligations of employers; amending Minnesota Statutes 1974, Section 179.66, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Dahl, Ketola, McEachern, Niehaus, and Braun introduced:

H. F. No. 262, A bill for an act relating to towns; levies for police and fire protection; amending Minnesota Statutes 1974, Section 365.19.

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

Samuelson, Patton, Niehaus, Sherwood, and Anderson, I., introduced:

H. F. No. 263, A bill for an act relating to towns; increasing the per diem and travel expense payments to assessors and other officers attending instructional meetings; amending Minnesota Statutes 1974, Section 273.03, Subdivision 1.

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

Anderson, G.; Stanton; Patton; Setzepfandt; and DeGroat introduced:

H. F. No. 264, A bill for an act relating to regional development commissioners; authorizing per diem compensation for members; amending Minnesota Statutes 1974, Section 462.388, Subdivision 5.

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

Erickson introduced:

H. F. No. 265, A bill for an act relating to the city of Bigelow; authorizing the issuance of general obligation bonds authorized by the voters without including the bonds in the computation of net debt.

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

Corbid introduced:

H. F. No. 266, A bill for an act relating to all cities and towns in the counties of Marshall and Polk; authorizing a Warren hospital district formed in the counties of Marshall and Polk pursuant to Minnesota Statutes, Chapter 447, to exercise certain powers in addition to and in some cases in lieu of powers conferred by chapter 447; providing for the levy of taxes and issuance of bonds.

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

Jude; White; Jensen; Adams, S.; and George introduced:

H. F. No. 267, A bill for an act relating to metropolitan transit; providing for a redefinition of the transit property taxing district and authorizing contract service beyond the boundaries thereof; amending Minnesota Statutes 1974, Section 473A.111, Subdivision 2.

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

Kelly, R.; McEachern; Tomlinson; Sieben, M.; and Philbrook introduced:

H. F. No. 268, A bill for an act relating to metropolitan public transit; tax levies; use of proceeds; authorizing the use of a portion of the proceeds of the tax to provide transit service to disabled persons; amending Minnesota Statutes 1974, Section 473A.111, Subdivision 4.

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

Patton and Pehler introduced:

H. F. No. 269, A bill for an act relating to St. Cloud; metropolitan transit commission; eliminating the wheelage tax; providing for an annual tax levy and the issuance of bonds; amending Laws 1969, Chapter 1134, Section 10; repealing Laws 1969, Chapter 1134, Section 4.

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

Vanasek introduced:

H. F. No. 270, A bill for an act relating to metropolitan government; defining the metropolitan area to exclude that portion of the city of New Prague which lies in Scott county; amending Minnesota Statutes 1974, Section 473B.011, Subdivision 2.

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

Braun, Schumacher, Begich, Corbid, and Biersdorf introduced:

H. F. No. 271, A bill for an act relating to the city of Williams; limiting the width of safety islands within the boundaries of state trunk highway Route No. 11 in the business district of the city.

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

McEachern, Voss, Schreiber and Jude introduced:

H. F. No. 272, A bill for an act relating to motor vehicles; definitions; equipment requirements and driving rules for motorcycle operators; amending Minnesota Statutes 1974, Sections 168.011, by adding a subdivision; 169.01, Subdivision 4; 171.01, Subdivision 17; and 169.974, Subdivisions 2, 4 and 5.

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

HOUSE ADVISORY BILLS

Pursuant to rule 5.3, the following House Advisory Bill was introduced:

Carlson, A., introduced:

H. A. B. No. 2, A review of laws pertaining to prostitution.

The bill was referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Graba moved that the name of Kalis be added as an author on H. F. No. 185. The motion prevailed.

Wenzel introduced:

House Resolution No. 3, A house resolution congratulating and thanking Congressman John A. Blatnik for his career of public service.

The resolution was referred to the Committee on Rules and Legislative Administration.

Anderson, I., and Sabo introduced:

House Resolution No. 4, A house resolution authorizing living expense and mileage reimbursement during the 69th Legislature.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 6, 1975. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, February 6, 1975.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

