

STATE OF MINNESOTA
SIXTY-NINTH SESSION - 1976

SIXTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 5, 1976

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

A quorum was present.

Adams, S.; Erickson and Kostohryz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau 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 H. F. Nos. 2041, 454 and 838 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1995, A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

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

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1996, A bill for an act relating to education; describing co-curricular and non-curricular activities; amending Minnesota Statutes 1974, Section 123.38, Subdivisions 1, 2 and 3, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 9, before "ACTIVITIES" insert "CO-CURRICULAR AND NON-CURRICULAR".

Page 2, line 7, before "*activities*" insert "*these*".

Page 2, line 13, before "*the*" insert "*the general fund or*".

Page 2, line 14, delete "*, or the general fund*".

Page 3, line 8, delete "*include that group of*" and insert "*shall mean*".

Page 3, line 10, delete "*students*" and insert "*pupils*".

Page 3, line 10, after "*participate*" insert a comma.

Page 3, line 10, delete "*at*" and insert "*in*".

Page 3, line 11, delete the comma.

Page 3, line 14, after "are" insert "not".

Page 3, line 14, after "school" insert "credit".

Page 3, line 17, delete the second comma.

Page 3, line 25, delete ", and deficits resulting from the activity are".

Page 3, line 26, delete "usually subsidized by the school district general fund".

Page 3, line 32, delete "include" and insert "shall mean".

Page 4, line 2, delete "generally".

Page 4, line 7, delete "not".

Page 4, line 7, delete "during" and insert "outside".

Page 4, line 11, delete "student" and insert "pupil".

Page 4, line 13, delete "possible".

Page 4, line 18, before "The" insert "If the board does not take charge of and control non-curricular activities, the general fund or".

Page 4, line 19, delete "or the general fund" and insert "shall".

Page 4, line 21, delete the period and insert "and".

Page 4, line 22, delete "are" and insert "shall be".

Page 4, line 24, delete the comma.

Page 4, line 24, delete "available from".

Page 4, line 25, delete "the state department of education".

Page 4, line 25, after the period insert "If the board takes charge of and controls non-curricular activities, all revenues and expenditures for these activities shall be recorded in the same manner as other revenues and expenditures of the district. If the board takes charge of and controls non-curricular activities, no such activity shall be participated in by the teachers of pupils in the district, nor shall the school name or any allied name be used in connection therewith, except by consent and direction of the board."

Further, amend the title as follows:

Page 1, line 2, after the semi-colon insert "requiring school boards to take control of all co-curricular school activities; changing the method of accounting for co-curricular and non-curricular activities;".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 8, delete "1974" and insert ", 1975 Supplement".

Page 1, strike lines 10 to 23.

Page 2, strike lines 1 to 32.

Page 3, strike lines 1 to 32.

Page 4, strike lines 1 to 32.

Page 5, strike lines 1 to 13 and insert:

"Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children, as defined in section 250.02, in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules and regulations making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise any additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.

(10) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(11) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(12) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid *by local agencies* for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state *and for congregate living care under the income maintenance programs.*

(13) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing

an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory committee and filed with the commissioner of administration.

(14) In accordance with federal requirements establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) Promulgate, by rule and regulation, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant to chapter 256B, general relief medical care pursuant to section 256D.02, subdivision 4 and medical, hospital, and surgical care for persons eligible for general assistance pursuant to chapter 256D, or for indigent persons whose costs of hospitalization are paid pursuant to sections 261.21 to 261.232. The rules and regulations shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one-half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.

(16) Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare."

Amend the title:

Line 6, delete "1974" and insert ", 1975 Supplement".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1995, 1996 and 2043 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 932 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

McCauley, Beauchamp, Evans, Stanton and Pehler introduced:

H. F. No. 2126, A bill for an act relating to taxation; including the state universities in the occupation tax apportionment; amending Minnesota Statutes 1974, Section 298.17.

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

Casserly; Sieben, H.; Dieterich; Johnson, D.; and Adams, L., introduced:

H. F. No. 2127, A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions.

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

Berglin; Sieben, M.; Fugina; Adams, S.; and Dean introduced:

H. F. No. 2128, A bill for an act relating to education; school arts programs; authorizing the council on quality education to make grants to school districts and state universities contracting with arts organizations; appropriating money; amending Minnesota Statutes 1974, Chapter 3, by adding a section.

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

Eckstein; Mann; Johnson, C.; Haugerud and Kalis introduced:

H. F. No. 2129, A bill for an act relating to public waters; eliminating certain permit requirements affecting certain public drainage systems; amending Minnesota Statutes 1974, Section 105.42, Subdivision 1.

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

DeGroat introduced:

H. F. No. 2130, A bill for an act relating to elections; providing for the nomination and election of legislators without party designation; amending Minnesota Statutes 1974, Section 206.07, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Sections 203A.21, Subdivision 1; 203A.31, Subdivision 1; 203A.23, Subdivisions 7 and 9; and 203A.32, Subdivisions 1 and 2.

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

Beauchamp, Corbid, Langseth, Braun and Johnson, C., introduced:

H. F. No. 2131, A bill for an act relating to interstate cooperation; directing a study and meetings on various subjects of mutual concern to the states of Minnesota and North Dakota and the province of Manitoba.

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

DeGroat introduced:

H. F. No. 2132, A bill for an act relating to workers' compensation; eliminating a provision for the coordination of workers' compensation benefits to dependents with other governmental assistance programs; repealing Minnesota Statutes, 1975 Supplement, Section 176.111, Subdivision 21.

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

Beauchamp, Biersdorf, Enebo, McEachern and Erickson introduced:

H. F. No. 2133, A bill for an act relating to retirement; including employees of the Minnesota Municipal Utilities Association in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

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

Adams, L.; Fudro; Erickson; Beauchamp and Kroening introduced:

H. F. No. 2134, A bill for an act relating to higher education; changing eligibility standards for state scholarships and grants-in-aid; making first-time scholarships and grants-in-aid available to students beyond the first year; reordering priorities for the awarding of scholarships and grants-in-aid; amending Minnesota Statutes, 1975 Supplement, Section 136A.121, Subdivision 3.

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

Haugerud, Voss and Eken introduced:

H. F. No. 2135, A bill for an act relating to attorneys; repealing the statutory lien for attorney's fees; repealing Minnesota Statutes 1974, Section 481.13.

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

Haugerud, Voss and Eken introduced:

H. F. No. 2136, A bill for an act relating to attorneys at law; providing standards for organization and operation of legal services organizations; cooperation of attorneys; amending Minnesota Statutes 1974, Section 481.02, Subdivision 3; and Chapter 481, by adding a section.

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

Sieben, M.; Corbid and Jaros introduced:

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

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

McCauley, Birnstihl, Lemke and Erickson introduced:

H. F. No. 2138, A bill for an act relating to public employment labor relations; permitting the governor to declare a 60 day cooling off period in case of an actual or threatened public employee's strike; amending Minnesota Statutes 1974, Chapter 179, by adding a section.

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

Reding, Sarna, Samuelson and Williamson introduced:

H. F. No. 2139, A bill for an act relating to labor and employment; treatment of gratuities in computation of minimum wages; repealing Minnesota Statutes 1974, Sections 177.23, Subdivision 9; and 177.28, Subdivision 4.

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

Philbrook, Hanson, Neisen, Novak and Osthoff introduced:

H. F. No. 2140, A bill for an act relating to the city of Roseville; membership of housing and redevelopment authority.

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

Vanasek, Vento, Knoll, McCauley and Graba introduced:

H. F. No. 2141, A bill for an act relating to energy conservation; providing for promulgation of quality standards and performance labeling of solar energy devices; exempting solar energy devices from property taxation; providing a ten percent credit against income tax for the cost of pollution control equipment and solar energy devices; extending feedlot pollution control equipment credit; exempting solar energy devices and pollution control equipment from sales taxation; amending Minnesota Statutes 1974, Sections 290.06, Subdivisions 9 and 9a; and 297A.25, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 272.02, Subdivision 1.

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

Sieloff; Adams, S.; Kvam and Peterson introduced:

H. F. No. 2142, A bill for an act relating to taxation; providing for the income tax treatment of certain pension contributions; amending Minnesota Statutes 1974, Section 290.09, by adding subdivisions; and Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20.

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

Jude; Jensen; Kempe, R.; Adams, S.; and Vanasek introduced:

H. F. No. 2143, A bill for an act relating to taxation; providing that local aid formula calculations may be based on special census figures; amending Minnesota Statutes, 1975 Supplement, Section 477A.01, Subdivision 4.

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

Lemke, Patton, Voss, Carlson, R., and Stanton introduced:

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 645, A bill for an act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 22, A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 22

A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

February 3, 1976

The Honorable Alec G. Olson
President of the Senate
The Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 22 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S. F. No. 22 be further amended as follows:

Page 3, line 20, after "act" and before the period insert ", except that all school districts whose central administrative offices are within that ECSU whose boundaries coincide with those of development region 11 shall participate in the planning and planning research functions of that ECSU. No planning or planning research decision of that ECSU shall be binding on these region 11 districts".

Page 8, line 15, after "talents" insert "and special needs".

Page 10, line 22, strike "\$500,000" and insert "\$499,950".

Page 10, line 26, strike "\$30,000 per year" and insert "\$45,450".

Page 10, line 29, strike "annually".

Page 10, line 29, strike "\$55,000;" and insert "\$90,900.".

Page 10, strike lines 30 to 32.

Page 11, strike line 1.

The amendment to S. F. No. 22 adopted May 19, 1975, by the House of Representatives adding a section be amended by adding a subdivision after subdivision 4 to read:

"Subd. 5. The council shall expire and the terms, compensation and removal of members shall be as provided in section 15.059."

Further, renumber the subdivisions accordingly.

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

Senate Conferees: JEROME M. HUGHES, DOUGLAS H. SILLERS
and JERALD C. ANDERSON.

House Conferees: RUSSELL P. STANTON, FRED C. NORTON and TED SUSS.

Stanton moved that the report of the Conference Committee on S. F. No. 22 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 22, A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by Conference, and its title agreed to.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

CALENDAR

H. F. No. 454, A bill for an act relating to game and fish; seasons and licenses for taking of game; amending Minnesota Statutes 1974, Sections 98.46, Subdivisions 2 and 14; and Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 91, and nays 32, as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kelly, R.	Neisen	Setzepfandt
Arlandson	Evans	Kelly, W.	Nelson	Sieben, H.
Beauchamp	Ewald	Kempe, A.	Niehaus	Sieben, M.
Berglin	Forsythe	Ketola	Norton	Sieloff
Biersdorf	Fudro	Knickerbocker	Novak	Skoglund
Braun	George	Knoll	Osthoff	Smogard
Brinkman	Graba	Kroening	Parish	Stanton
Byrne	Hanson	Kvam	Patton	Suss
Carlson, A.	Haugerud	Laidig	Pehler	Ulland
Carlson, L.	Heinitz	Langseth	Peterson	Voss
Carlson, R.	Hokanson	Lemke	Petraleso	White
Casserly	Jacobs	Lindstrom	Philbrook	Wieser
Clark	Jaros	Luther	Pleasant	Wigley
Clawson	Johnson, C.	Mangan	Prahl	Zubay
Dahl	Jopp	Mann	Reding	Speaker Sabo
Dean	Jude	McCauley	Sarna	
Dieterich	Kahn	Metzen	Savelkoul	
Doty	Kaley	Moe	Schreiber	
Enebo	Kalis	Munger	Searle	

Those who voted in the negative were:

Abeln	Eken	Kempe, R.	Samuelson	Swanson
Anderson, G.	Faricy	McCarron	Schulz	Volk
Anderson, I.	Fjoslien	McCollar	Schumacher	Wenstrom
Begich	Friedrich	McEachern	Sherwood	Wenzel
Birnsthil	Fugina	Menning	Simoneau	
Corbid	Jensen	Nelsen	Smith	
DeGroat	Johnson, D.	St. Onge	Spanish	

The bill was passed and its title agreed to.

Reding was excused at 3:30 p.m. Berg was excused at 3:50 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Eken to recommend re-referral of H. F. No. 608 to the Committee on Appropriations.

The roll being called, there were yeas 69, and nays 59, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Jopp	Niehaus	Sieloff
Albrecht	Eken	Kaley	Norton	Smith
Anderson, G.	Esau	Kalis	Parish	Smogard
Arlandson	Evans	Kelly, W.	Peterson	Spanish
Beauchamp	Fjoslien	Knickerbocker	Petrafeso	Swanson
Begich	Forsythe	Laidig	Samuelson	Ulland
Biersdorf	Friedrich	Langseth	Savelkoul	Voss
Birnstihl	George	Lemke	Schreiber	Wenstrom
Braun	Graba	Lindstrom	Schulz	Wenzel
Carlson, A.	Haugerud	Mann	Schumacher	Wieser
Corbid	Heinitz	McCauley	Searle	Wigley
Dean	Jensen	McCollar	Setzepfandt	Zubay
DeGroat	Johnson, C.	Menning	Sherwood	Speaker Sabo
Doty	Johnson, D.	Nelsen	Sieben, H.	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, R.	Nelson	Sieben, M.
Anderson, I.	Ewald	Ketola	Novak	Simoneau
Berg	Fudro	Knoll	Osthoff	Skoglund
Berglin	Fugina	Kroening	Patton	Stanton
Byrne	Hanson	Kvam	Pehler	Suss
Carlson, L.	Hokanson	Luther	Philbrook	Tomlinson
Carlson, R.	Jacobs	Mangan	Pleasant	Vanasek
Casserly	Jaros	McCarron	Prahl	Vento
Clark	Jude	McEachern	Reding	Voik
Clawson	Kahn	Metzen	Rice	White
Dahl	Kelly, R.	Munger	St. Onge	Williamson
Dieterich	Kempe, A.	Neisen	Sarna	

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to S. F. No. 1647 offered by Fjoslien:

Page 1, line 22, reinstate the stricken language and strike "natural resources".

The roll being called, there were yeas 34, and nays 69, as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Kalis	Peterson	Spanish
Anderson, G.	Evans	Knickerbocker	Savelkoul	Ulland
Biersdorf	Fjoslien	Kvam	Schreiber	Wenstrom
Braun	Friedrich	Laidig	Schulz	Wenzel
Carlson, A.	Fugina	Lemke	Searle	Wieser
Dean	Jopp	McCauley	Setzepfandt	Wigley
DeGroat	Kaley	Nelsen	Sieloff	

Those who voted in the negative were:

Abeln	Eken	Kahn	Novak	Simoneau
Anderson, I.	Faricy	Kelly, R.	Osthoff	Skoglund
Beauchamp	Forsythe	Kempe, A.	Parish	Smith
Berg	Fudro	Ketola	Patton	Smogard
Berglin	George	Kroening	Pehler	Stanton
Brinkman	Hanson	Lindstrom	Philbrook	Suss
Byrne	Haugerud	Luther	Prahl	Swanson
Carlson, L.	Hokanson	Mangan	Rice	Tomlinson
Carlson, R.	Jacobs	McCollar	Samuelson	Vento
Casserly	Jaros	Metzen	Sarna	Volk
Clark	Jensen	Moe	Schumacher	Voss
Corbid	Johnson, C.	Munger	Sherwood	Williamson
Dieterich	Johnson, D.	Neisen	Sieben, H.	Zubay
Doty	Jude	Niehaus	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1061 offered by Dieterich:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 10A.27, Subdivision 4, is amended to read:

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards and precincts, (AND ANY LEGISLATIVE BODY)."

Further, amend the title as follows:

Delete lines 4 to 6 and insert "Section 10A.27, Subdivision 4."

The roll being called, there were yeas 110, and nays 2, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Faricy	Jopp	Lemke
Adams, L.	Carlson, R.	Fjoslien	Jude	Lindstrom
Albrecht	Casserly	Forsythe	Kahn	Luther
Anderson, G.	Clark	Friedrich	Kaley	Mangan
Arlandson	Clawson	Fudro	Kalis	Mann
Beauchamp	Corbid	Fugina	Kempe, A.	McCarron
Begich	Dahl	George	Kempe, R.	McCauley
Berglin	Dean	Graba	Ketola	McCollar
Biersdorf	Dieterich	Hanson	Knickerbocker	McEachern
Birnstihl	Doty	Heinitz	Knoll	Menning
Braun	Eckstein	Hokanson	Kroening	Metzen
Brinkman	Enebo	Jacobs	Kvam	Moe
Byrne	Esau	Jaros	Laidig	Munger
Carlson, A.	Ewald	Johnson, D.	Langseth	Neisen

Nelsen	Philbrook	Schumacher	Smogard	Wenstrom
Nelson	Pleasant	Setzepfandt	Spanish	Wenzel
Niehaus	Prahl	Sieben, H.	Stanton	White
Norton	Samuelson	Sieben, M.	Suss	Wieser
Novak	Sarna	Sieloff	Tomlinson	Wigley
Osthoff	Savelkoul	Simoneau	Ulland	Williamson
Patton	Schreiber	Skoglund	Vanasek	Zubay
Peterson	Schulz	Smith	Voss	Speaker Sabo

Those who voted in the negative were:

Rice Vento

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the motion of Dieterich to recommend passage of H. F. No. 1061, as amended.

The roll being called, there were yeas 117, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Vento Voss

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 608 which it recommended re-referral to the Committee on Appropriations.

H. F. No. 814 upon which it recommended to pass with the following amendment offered by McEachern:

Page 3, line 25, after "\$1" strike ", which fee shall be".

Page 3, line 26, strike all of the line.

Page 3, line 27, strike "compensation otherwise allowed him by law".

S. F. No. 1647 upon which it recommended to pass with the following amendments:

Offered by Hanson:

Page 3, line 5, after "Statutes" strike "1974" and insert "1975 Supplement".

Page 3, delete lines 7 to 32 and insert in lieu thereof:

"Subd. 15. The commissioner shall acquire by gift, lease, purchase, or condemnation in the manner prescribed by chapter 117, in the name of the state, state water access sites, not to exceed (FIVE) *seven* acres, adjacent to public waters to which the public theretofore had no access or where the access is inadequate and upon which the public has a right to hunt and fish, and such easements and rights of way as may be required to connect such sites with public highways, (PROVIDED, NO ACQUISITION COSTING OVER \$1,000 SHALL BE MADE WITHOUT FIRST OBTAINING THE APPROVAL OF THE EXECUTIVE COUNCIL, AND) provided (FURTHER) that the authority herein granted shall not extend to lakes completely surrounded by lands owned and maintained for the purpose of conducting an educational or religious institution, or to lakes which are unmeandered or which contain less than 200 acres within the meander lines; provided, that in the case of any lake containing less than 200 acres but not less than 150 acres within the meander lines, the authority herein granted shall apply where the lands, easements, or rights of way required are acquired by gift or purchase but not by condemnation and provided further, that public easements and public right of way may be acquired other than by condemnation to lakes of any size which are to be thereafter managed intensively for fishing. All sites, easements, and rights of the commissioner may make agreements with the county board if the connecting public highway is a county state-aid highway or county highway and the town board if the connecting public highway is a town road for the maintenance of the easements and rights of way to the sites. The county board and town board may expend money from their respective road and bridge funds for such maintenance in accordance with the agreement."

Page 4, delete lines 1 to 8.

Page 8, line 10, strike "1976" and insert "1977".

Further, amend the title as follows:

Line 12, after the second ":", strike "97.48,".

Line 13, strike "Subdivision 15;".

Line 16, after the ":", insert "amending Minnesota Statutes, 1975 Supplement, Section 97.48, Subdivision 15;".

Offered by Faricy:

Page 2, line 1, of the Hanson amendment, after "rights of" insert "way acquired hereunder shall be maintained by the commissioner, except that".

H. F. No. 1061 upon which it recommended to pass with the following amendment offered by Dieterich:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 10A.27, Subdivision 4, is amended to read:

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, and precincts(, AND ANY LEGISLATIVE BODY).".

Further, amend the title as follows:

Delete lines 4 to 6 and insert "Section 10A.27, Subdivision 4.".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Novak moved that his name be stricken as an author on H. F. No. 1654. The motion prevailed.

Carlson, R., introduced:

House Resolution No. 24, A house resolution congratulating Rob Best on his success in the National Punt, Pass and Kick Contest.

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., Monday, February 9, 1976. 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., Monday, February 9, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives