

FIFTH DAY

St. Paul, Minnesota, Thursday, January 11, 1973.

The Senate met at 12:00 o'clock noon and was called to order by the President.

Prayer by the Chaplain.

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

Anderson	Doty	Kirchner	Ogdahl	Sillers
Arnold	Dunn	Kleinbaum	Olhoff	Solon
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Larson	O'Neill	Tennessee
Blatz	Hansen, Mel	Laufenburger	Patton	Thorup
Borden	Hansen, R.	Lewis	Perpich, A. J.	Ueland
Brown	Hughes	Lord	Perpich, G.	Wegener
Chenoweth	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Milton	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemijs	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Moe was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 9, 1973

The Honorable Alec G. Olson,
President of the Senate

The Honorable Martin O. Sabo,
Speaker of the House

Sirs:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the Sixty-eighth Session of the Minnesota Legislature on Wednesday, January 17, 1973 at 12:15 P.M. for the purpose of presenting my budget recommendations for the 1973-75 biennium to the Legislature.

Sincerely,
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	1	Chapter 1	January 4, 1973	January 4, 1973

Sincerely,

Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Ashbach, Thorup and Kowalczyk introduced—

S. F. No. 42: A bill for an act regulating public utilities furnishing at retail natural manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Laufenburger, Krieger and Olhoft introduced—

S. F. No. 43: A bill for an act providing compensation to those members of the armed forces who served in the Vietnam conflict.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Lewis, Purfeerst and Kleinbaum introduced—

S. F. No. 44: A bill for an act relating to water pollution control; requiring permits for the discharge of wastes into waters of this state; amending Minnesota Statutes 1971, Section 115.07, Subdivision 1; repealing Minnesota Statutes 1971, Section 115.07, Subdivision 3.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Davies, Blatz and Purfeerst introduced—

S. F. No. 45: A bill for an act relating to taxation; tax on oleo-

margarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, G.; Willet and Perpich, A. J. introduced—

S. F. No. 46: A bill for an act relating to occupational and professional examination and licensing; providing for a lay membership on such boards; amending Minnesota Statutes 1971, Sections 146.02; 146.03; 146.05; 147.01; 148.03; 148.52; 148.67; 148.68; 148.79; 150A.02; 151.02; 151.03; 151.04; 153.02; 154.22; 155.04; 155.05; 156.01, Subdivisions 1 and 2; 326.04; 326.05; 326.17; 326.18; 326.241, Subdivision 1; 326.541; and 481.01.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Krieger and Chenoweth introduced—

S. F. No. 47: A bill for an act relating to psychologists; providing for the licensure and regulation of the private practice of psychology; establishing a board of examiners and prescribing the powers and duties thereof; providing penalties; appropriating money; amending Minnesota Statutes 1971, Section 595.02; and repealing Minnesota Statutes 1971, Sections 148.79 to 148.86.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Lewis, Chmielewski and Spear introduced—

S. F. No. 48: A bill for an act relating to small loans; maximum rates of principal and interest; amending Minnesota Statutes 1971, Section 56.13, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Moe, Ogdahl and Kleinbaum introduced—

S. F. No. 49: A bill for an act relating to state government; annual leave and sick leave of state employees; amending Minnesota Statutes 1971, Section 351.12.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Borden, Josefson and Laufenburger introduced—

S. F. No. 50: A bill for an act relating to highway traffic regulations; authorizing increased combinations of vehicles transporting

milk; amending Minnesota Statutes 1971, Section 169.81, Subdivision 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Conzemius introduced—

S. F. No. 51: A bill for an act relating to the claim of the city of Lake City; arising from damages by a runaway from the state training school; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Laufenburger introduced—

S. F. No. 52: A bill for an act relating to the claim of Charles L. Eglund; arising from interference with access to his home by highway construction; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. North, O'Neill and Chenoweth introduced—

S. F. No. 53: A bill for an act relating to taxation; providing for the valuation of improvements to residential real property.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. O'Neill, Gearty and Keefe, J. introduced—

S. F. No. 54: A bill for an act relating to courts, procedure and penalties in traffic violation cases; amending Minnesota Statutes 1971, Sections 169.89, Subdivision 1; 171.01, Subdivision 13; 171.16, Subdivisions 1 and 3; and 484.63; repealing Minnesota Statutes 1971, Section 169.122, Subdivision 4.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Schaaf, Olhofft and Humphrey introduced—

S. F. No. 55: A bill for an act relating to elections; providing for election of members of the legislature by party designation; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 203.29, Subdivision 2; 203.35, Subdivisions 7 and 9; and 206.07, Subdivision 1.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Kirchner, Milton and McCutcheon introduced—

S. F. No. 56: A bill for an act relating to welfare; establishing and empowering a Gillette hospital authority for the purpose of operating a children's hospital in conjunction with Ramsey county hospital; appropriating funds; amending Minnesota Statutes 1971, Sections 246.01; 256.01, Subdivision 2; repealing Minnesota Statutes 1971, Section 246.02, Subdivision 3; and Chapter 250.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Arnold introduced—

S. F. No. 57: A bill for an act relating to Itasca county; authorizing the issuance of an on-sale license for the sale of intoxicating liquor.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Spear; Keefe, S. and Gearty introduced—

S. F. No. 58: A bill for an act relating to taxation; income tax credits for renters; amending Minnesota Statutes 1971, Sections 290.982; 290.983, Subdivision 1; and 290.99; repealing Minnesota Statutes 1971, Section 290.991.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Gearty and O'Neill introduced—

S. F. No. 59: A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Chmielewski and Fitzsimons introduced—

S. F. No. 60: A bill for an act relating to motor vehicles; regulating the type and use of tires on vehicles using the highways; providing for a study of the effect of the use of wire embedded tires on highways; empowering the commissioner of highways to authorize the use of such tires under certain conditions; amending Minnesota Statutes 1971, Section 169.72, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 169.72, Subdivision 2.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Arnold introduced—

S. F. No. 61: A bill for an act relating to the village of Grand Rapids; authorizing supplemental retirement payments to police officers.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Humphrey; Keefe, J. and Tennesen introduced—

S. F. No. 62: A bill for an act relating to town roads; providing for the recording of the order establishing, altering or vacating a town road with the register of deeds; amending Minnesota Statutes 1971, Section 164.07, Subdivision 11.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Humphrey; Keefe, J. and Tennesen introduced—

S. F. No. 63: A bill for an act relating to real property; time limits upon certain actions relating to; amending Minnesota Statutes 1971, Sections 519.09 and 519.101.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Humphrey, Lord and Keefe, J. introduced—

S. F. No. 64: A bill for an act relating to real property; prescribing requirements for the execution of instruments affecting real property; amending Minnesota Statutes 1971, Sections 505.03, Subdivision 1; 507.23; 507.24; 508.06; and 508.40; repealing Minnesota Statutes 1971, Section 507.22.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Borden, Davies and O'Neill introduced—

S. F. No. 65: A bill for an act relating to the supreme court; authorizing certification of questions of law to the court and from the court to courts of other states.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Davies, O'Neill and Borden introduced—

S. F. No. 66: A bill for an act creating a Minnesota law revision commission; prescribing its duties and functions; and appropriating funds for its operation.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Kirchner; Hansen, Baldy and Arnold introduced—

S. F. No. 67: A bill for an act relating to natural resources; authorizing the commissioner of administration to acquire by eminent domain, under certain conditions, land or interests in land being acquired for natural resource purposes.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Davies, Ashbach and Chenoweth introduced—

S. F. No. 68: A bill for an act abolishing the advisory committee on planning; repealing Minnesota Statutes 1971, Section 4.14.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Tennesen, Fitzsimons and Davies introduced—

S. F. No. 69: A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32[a]; providing that railroads may be taxed in the same manner as other enterprises.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Davies, Josefson and Doty introduced—

S. F. No. 70: A bill for an act relating to the supreme court; appropriating money for its facilities.

Which was read the first time and referred to the Committee on Finance.

Mr. Spear introduced—

S. F. No. 71: A bill for an act relating to the claim of Carol T. Roblin; arising from services rendered to the department of corrections; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Milton, Spear and North introduced—

S. F. No. 72: A bill for an act relating to labor; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 177.01 to 177.20.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Dunn introduced—

S. F. No. 73: A bill for an act relating to the claim of the village of Cambridge; arising from public improvements benefiting state property; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

MESSAGE FROM THE HOUSE

Mr. President:

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

Senate Concurrent Resolution No. 1.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned January 4, 1973

Mr. President:

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

Senate Concurrent Resolution No. 2.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned January 4, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 84.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted January 8, 1973

FIRST READING OF HOUSE FILES

H. F. No. 84: A bill for an act defining legal capacity for the purpose of meeting eligibility requirements of certain federal programs.

Was read the first time.

Mr. Wegener moved that H. F. No. 84 be laid on the table.

Which motion prevailed.

REPORTS OF COMMITTEES

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

S. F. No. 31: A bill for an act relating to public service corporations and pipeline companies; regulating and limiting the ease-

ments over private property acquired by such corporations and companies.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

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

S. F. No. 35: A bill for an act relating to trade regulation; requiring a fee for beverage containers; providing penalties.

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

January 10, 1973

The Honorable Alec G. Olson
President of the Senate

Dear Sir:

On January 9, 1973, the Committee on Committees of the Senate met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes, 1971:

Sec. 3.301 Legislative Services Commission: Messrs. Krieger, Conzemius and Gearty

Sec. 298.22 Iron Range Resources and Rehabilitation Commission: Messrs. Arnold, Perpich, A. J. and Perpich, G.

Respectfully yours,

Jack Davies, Chairman
Committee on Committees

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

The Honorable Patrick E. Flahaven
Secretary of the Senate

The Honorable Edward A. Burdick
Chief Clerk of the House of Representatives

Mr. Davies moved that the foregoing committee report be adopted. Which motion prevailed. So the report was adopted.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved to amend the resolution adopted Tuesday, January 2, 1973, establishing Senate employees' positions and salaries as shown in the Journal of the 1st day, page 19, by adding thereto the following:

- 1 Legislative Communications Officer at a salary of \$45.76 per day, one-half of such salary to be paid by the House of Representatives and one-half to be paid by the Senate.

The question being taken on the motion.

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Purfeerst
Arnold	Doty	Keefe, S.	North	Renneke
Ashbach	Dunn	Kirchner	Novak	Schaaf
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	Olhoff	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lewis	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Milton	Pillsbury	

So the motion was adopted.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salary heretofore fixed.

Ernest O. Hintze, Legislative Communications Officer, effective January 2, 1973

Timothy J. Helgeson, Sergeant, effective January 2, 1973

Otto Haase, Sergeant, effective January 2, 1973

Jerome Coughlin, Sergeant, effective January 2, 1973

Susan Haigh, Committee Clerk, effective January 8, 1973

BE IT FURTHER RESOLVED, that Betty A. Lerick be transferred from the Secretary classification to Stenographer I classification; that Betty Self be transferred from the Stenographer I classification to the Secretary classification; that Anna Steffel be transferred from the Clerk Typist II classification to Stenographer II classification, effective as of January 2, 1973, at the salary heretofore established for the respective positions.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman moved to amend Senate Resolution No. 6 as shown in the Journal for the first day, pages 25 through 28.

HEALTH, WELFARE AND CORRECTIONS

Strike the name of Mr. Humphrey and insert in lieu thereof Mr. Keefe, S.

METROPOLITAN AND URBAN AFFAIRS

Strike the name of Mr. Keefe, S. and insert in lieu thereof Mr. Humphrey.

LOCAL GOVERNMENT

Strike the name of Mr. Hanson, R. and insert in lieu thereof Mr. Sillers.

Mr. Coleman moved the adoption of the amendment. Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved that the Rules of the Senate be so far suspended as to revert to the order of business of Introduction of Bills.

INTRODUCTION OF BILLS—CONTINUED

Messrs. Frederick and Patton introduced—

S. F. No. 74: A bill for an act relating to Steele county; authorizing tax anticipation certificates for certain purposes; amending Laws 1963, Chapter 572, Section 2.

Which was read the first time and referred to the Committee on Local Government.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that H. F. No. 84 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Wegener moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 84 and that the rules of the Senate be so far suspended as to give H. F. No. 84 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 84 was read the second time.

Mr. Wegener moved to amend H. F. No. 84 as follows:

Page 1, line 9, strike "a loan and to apply for and receive other" and insert in lieu thereof "an emergency loan as authorized under sections 1961 to 1967 of title 7 of the United States Code."

Page 1, strike lines 10 through 12

After line 12, add a new section to read:

"Sec. 2. Notwithstanding the provisions of any law to the contrary a person who has attained the full age of 18 years, if otherwise competent, is legally capable to give such security as the secretary of agriculture may prescribe for any emergency loan referred to in section 1 of this act."

Renumber the remaining section.

Which motion prevailed. So the amendment was adopted.

THIRD READING OF HOUSE BILL

H. F. No. 84: A bill for an act defining legal capacity for the purpose of meeting eligibility requirements of certain federal programs.

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

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

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Henneke
Arnold	Doty	Keefe, S.	Novak	Schaaf
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Knutson	Olhofs	Sillers
Berg	Frederick	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Gearty	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Tennessee
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 34 be withdrawn from the Committee on Transportation and General Legislation. Which motion prevailed.

Mr. North moved that S. F. No. 34 be re-referred to the Committee on Health, Welfare and Corrections. Which motion prevailed.

Messrs. Milton and Spear introduced—

Senate Resolution No. 11: A senate resolution designating January 20 as Peace Action Day.

Which was referred to Committee on Rules and Administration.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Monday, January 15, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.