

FORTY-FIRST DAY

St. Paul, Minnesota, Thursday, April 19, 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	Hanson, 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	
Conzemius	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. Mr. Pillsbury was excused from the Session of today, beginning at 4:00 o'clock p.m. Mr. Spear was excused from the Session of today, beginning at 4:45 o'clock p.m. Messrs. Bang, Larson and Lewis were excused from the Session of today, beginning at 5:00 o'clock p.m.

INTRODUCTION OF BILLS

Messrs. Hughes; Hanson, R. and Thorup introduced—

S. F. No. 2173: A bill for an act relating to small loan companies; requiring licensing of managers; amending Minnesota Statutes 1971, Chapter 56, by adding sections.

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

Messrs. O'Neill, Coleman and North introduced—

S. F. No. 2174: A bill for an act relating to the city of Saint Paul; authorizing the condemnation of real property pursuant to the procedures set forth in its home rule charter.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. McCutcheon, Tennessen and Gearty introduced—

S. F. No. 2175: A bill for an act relating to crimes and criminals; establishing a regional justice information system; prescribing its powers and duties; and providing for its financing.

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

Messrs. North, McCutcheon and Chenoweth introduced—

S. F. No. 2176: A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. North, Schaaf and McCutcheon introduced—

S. F. No. 2177: A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; amending Minnesota Statutes 1971, Section 257.101, by adding a subdivision.

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

Messrs. Knutson, Conzemius and Stassen introduced—

S. F. No. 2178: A bill for an act relating to Dakota county; soil and water conservation; expenditures from general revenue fund.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Anderson, Krieger and Hughes introduced—

S. F. No. 2179: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

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

Messrs. Milton, Nelson and Perpich, G. introduced—

S. F. No. 2180: A bill for an act relating to public health; requiring the provision and use of lead aprons for patients undergoing examination by x-ray; providing a penalty.

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

Messrs. North, Renneke and Stokowski introduced—

S. F. No. 2181: A bill for an act relating to public health; medical records, confidentiality; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

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

Messrs. North, O'Neill and Coleman introduced—

S. F. No. 2182: A bill for an act authorizing the city of Saint Paul to create development districts within its corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Lord, McCutcheon and Coleman introduced—

S. F. No. 2183: A bill for an act relating to telephone companies; costs to be charged to telephone companies for investigative procedures initiated by the department of public service; amending Minnesota Statutes 1971, Section 237.29, Subdivision 1.

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

Messrs. Lord, McCutcheon and Coleman introduced—

S. F. No. 2184: A bill for an act relating to expenses of attorney

general's appeals; amending Minnesota Statutes 1971, Sections 237.25 and 237.30.

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

Messrs. North, Ashbach and Milton introduced—

S. F. No. 2185: A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

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

Messrs. Milton, Ueland and Schaaf introduced—

S. F. No. 2186: A bill for an act relating to the peace officer training board; membership, terms, meetings and compensation; amending Minnesota Statutes 1971, Sections 626.841; and 626.842.

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

Messrs. Milton, Kirchner and Hughes introduced—

S. F. No. 2187: A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Section 163.03.

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

Messrs. Novak, O'Neill and Chenoweth introduced—

S. F. No. 2188: A bill for an act relating to Ramsey county; tax equalization procedure; repealing Special Laws 1876, Chapter 212, as amended.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Willet introduced—

S. F. No. 2189: A bill for an act authorizing the conveyance of certain state lands in Cass county to the village of Walker, Minnesota.

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

Messrs. Jensen, Kirchner and Renneke introduced—

S. F. No. 2190: A bill for an act relating to the Minnesota Historical Society; appropriating money for the acquisition, maintenance, and security of a historic site.

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

Messrs. Jensen; Hansen, Baldy and Blatz introduced—

S. F. No. 2191: A bill for an act relating to taxation; mortgage registry tax; repealing Minnesota Statutes 1971, Sections 287.01 to 287.12.

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

Messrs. Milton, Schaaf and Stokowski introduced—

S. F. No. 2192: A bill for an act relating to the establishment of parks and playgrounds by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. O'Neill, Coleman and Chenoweth introduced—

S. F. No. 2193: A bill for an act relating to Independent School District No. 625; authorizing a tax levy for community services.

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

Messrs. North, O'Neill and Coleman introduced—

S. F. No. 2194: A bill for an act authorizing the city of Saint Paul to utilize certain power and authority to provide automobile parking facilities; amending Minnesota Statutes 1971, Section 459.14, by adding a subdivision.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Milton and Spear introduced—

S. F. No. 2195: A bill for an act relating to health; restricting the sale of contraceptive devices; amending Minnesota Statutes 1971, Section 617.251.

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

Messrs. Krieger, Kleinbaum and Laufenburger introduced—

S. F. No. 2196: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 31; replacing the prohibition of lotteries with a provision for pari-mutuel betting.

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

Messrs. Lord, Dunn and North introduced—

S. F. No. 2197: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

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

Messrs. Schaaf, Stokowski and Lewis introduced—

S. F. No. 2198: A bill for an act relating to the university of Minnesota; requiring progressive increases in the compensation of the academic staff.

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

Messrs. Willet and Perpich, G. introduced—

S. F. No. 2199: A bill for an act relating to public welfare; establishing the Minnesota welfare eligibility commission; prescribing its powers and duties.

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

Messrs. Coleman, Kirchner and Novak introduced—

S. F. No. 2200: A bill for an act relating to historic sites; regulating the boundaries of the old Fort Snelling historic district and designating the historic hill district; amending Minnesota Statutes 1971, Section 138.73, Subdivision 13; and Section 138.73, by adding a subdivision.

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

Messrs. Dunn; Olson, H. D. and Renneke introduced—

S. F. No. 2201: A bill for an act relating to drainage; ditch funds; authorizing surplus funds to be transferred to the county general fund under certain conditions; amending Minnesota Statutes 1971, Section 106.451, by adding a subdivision.

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

Mr. Conzemius introduced—

S. F. No. 2202: A bill for an act relating to the claim of county of Goodhue; arising from inadequate appropriations by legislature to reimburse Goodhue county for probation services rendered to the youth conservation commission; appropriating money for the payment thereof.

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

Messrs. Coleman; Perpich, A. J. and Novak introduced—

S. F. No. 2203: A bill for an act relating to the legislature; prescribing the membership of the legislative advisory committee; amending Minnesota Statutes 1971, Section 3.30, Subdivision 2.

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

Mr. Lord introduced—

S. F. No. 2204: A bill for an act relating to the water, light, power and building commission in certain cities; appointment and qualifications of members of the commission; amending Minnesota Statutes 1971, Section 453.02.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Anderson, Larson and Conzemius introduced—

S. F. No. 2205: A bill for an act relating to taxation; authorizing municipalities and counties to tax certain exempt property; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

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

Messrs. Chmielewski, Dunn and Stokowski introduced—

S. F. No. 2206: A bill for an act relating to taxation; uniform federal tax lien registration act; amending Minnesota Statutes 1971, Sections 272.483 and 272.484.

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

Messrs. Chmielewski, Dunn and Stokowski introduced—

S. F. No. 2207: A bill for an act relating to register of deeds;

fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

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

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

S. F. No. 2208: A bill for an act relating to education; school taxes and aids; definition of pupil units; amending Minnesota Statutes 1971, Section 124.17, Subdivision 2.

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

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

S. F. No. 2209: A bill for an act relating to education; school taxes and aids; capital expenditure taxing authority; amending Minnesota Statutes 1971, Section 124.04.

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

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

S. F. No. 2210: A bill for an act relating to education; unpaid property taxes; requiring the state treasurer to make payment to the school district for unpaid taxes.

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

Mr. Thorup introduced—

S. F. No. 2211: A bill for an act relating to public safety; enacting the uniform public assembly act; providing a penalty.

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

Messrs. Thorup, Anderson and Krieger introduced—

S. F. No. 2212: A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

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

Messrs. Thorup and Anderson introduced—

S. F. No. 2213: A bill for an act relating to drivers training schools; providing state aid to certain drivers training schools; appropriating money; amending Minnesota Statutes 1971, Sec-

tions 171.38; 171.39; 171.40; 171.41; and Chapter 171, by adding a section.

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

Mr. Thorup introduced—

S. F. No. 2214: A bill for an act relating to courts; defining real property jurisdiction of county court in divorce, annulment and separate maintenance proceedings; amending Minnesota Statutes 1971, Section 487.19, Subdivision 1.

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

Mr. Thorup introduced—

S. F. No. 2215: A bill for an act relating to courts; providing for the selection and service of jurors; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 357.26, 593.04, 593.18, 628.44, 628.45, 628.46, 628.47, 628.48, 628.49, 628.50, 628.51, 628.52 and 628.53.

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

Mr. Thorup introduced—

S. F. No. 2216: A bill for an act relating to labor relations; permitting concerted activities against secondary employers who are parties to mutual aid pacts or similar arrangements.

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

Messrs. Thorup and Anderson introduced—

S. F. No. 2217: A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

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

Mr. Thorup introduced—

S. F. No. 2218: A bill for an act relating to small loans; licensing and regulation of lenders; providing forfeitures; amending Minnesota Statutes 1971, Sections 56.01; 56.09; 56.11; 56.13, Subdivision 4; 56.15, Subdivision 2; 56.18; and 56.21; and Chapter 56, by adding a section.

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

Mr. Thorup introduced—

S. F. No. 2219: A bill for an act relating to courts; requiring conciliation courts to hold weekly evening or Saturday sessions.

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

Messrs. Thorup, Bang and Keefe, S. introduced—

S. F. No. 2220: A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

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

Messrs. Brown, Anderson and Stassen introduced—

S. F. No. 2221: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Afton state park.

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

Messrs. Humphrey, Gearty and McCutcheon introduced—

S. F. No. 2222: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues; amending Minnesota Statutes 1971, Sections 287.05, Subdivision 1; and 287.12.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Patton introduced—

S. F. No. 2223: A bill for an act relating to the county of Waseca; authorizing the expenditure of money for hospital purposes.

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

REPORTS OF COMMITTEES

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

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

S. F. No. 1967: A bill for an act relating to taxation; levy by school districts; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

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

S. F. No. 1874: A bill for an act relating to taxation; levy by school districts; excess levy; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

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

S. F. No. 1970: A bill for an act relating to education; regulating the tax levy of school districts; amending Minnesota Statutes 1971, Section 275.125, Subdivision 2.

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

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

S. F. No. 1968: A bill for an act relating to education; tax levy; school districts; amending Minnesota Statutes 1971, Section 275.125, Subdivision 2.

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

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

S. F. No. 1969: A bill for an act relating to taxation; levy by school districts; transportation levy adjustments; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

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

S. F. No. 2093: A bill for an act relating to the transportation of school pupils by public transit; prohibiting the transportation of certain school children by a public transit authority on a regular contract basis; permitting the payment of state aid for the transportation of certain other students transported by a public transit authority.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Transportation and General Legislation. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

H. F. No. 1504: A bill for an act relating to elections; providing for the hours that the office of the commissioner of registration must be open; amending Minnesota Statutes 1971, Section 201.05.

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

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

S. F. No. 1691: A bill for an act relating to St. Louis county; transfer of state owned lands; state trust lands.

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

Page 1, line 11, strike "shall" and insert "may"

Page 3, after line 28, add a section to read:

"Sec. 4. [APPROVAL.] This act is effective when approved by the St. Louis county board of commissioners, and upon compliance with Minnesota Statutes, Section 645.021."

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

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

S. F. No. 1334: A bill for an act relating to water resources; modifying and strengthening certain powers of the commissioner of natural resources in connection therewith; providing penalties; amending Minnesota Statutes 1971, Sections 105.37, by adding subdivisions; 105.38; 105.39, by adding a subdivision; 105.41; 105.42; 105.43; 105.44, Subdivisions 1, 3, 5, 6; 105.45; 105.47; 105.51, Subdivision 1; and Chapter 105, by adding sections; repealing Minnesota Statutes 1971, Section 105.54.

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

Page 6, after line 28, insert:

"This section does not apply to any public drainage system lawfully established under the provisions of chapter 106 which does not substantially affect any natural watercourse or any lake basin which serves a beneficial public purpose."

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

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

S. F. No. 2015: A bill for an act relating to snowmobiles; opera-

tion and regulation; contests; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1a.

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

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

S. F. No. 1468: A bill for an act relating to food; providing for the regulation and licensing of food handlers; amending Minnesota Statutes 1971, Sections 28A.05; 28A.15, Subdivision 6, 7, and 8; 28A.16; 32.59; and 34.05; repealing Minnesota Statutes 1971, Section 31.495, Subdivision 3.

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

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

S. F. No. 1086: A bill for an act relating to waters; southern Minnesota river basin commission; appropriating money; amending Laws 1971, Chapter 705, Section 3, Subdivision 1; and Section 5; repealing Laws 1971, Chapter 705, Section 11.

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

Page 3, line 22, strike "*and regulations*"

Page 3, line 23, strike "*management*" and insert in lieu thereof "*planning*"

Page 3, line 24, strike "*air,*"

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

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

S. F. No. 841: A bill for an act relating to natural resources; appropriating funds to the department of natural resources for dam repair and reconstruction.

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

Page 1, line 8, strike "\$150,000" and insert in lieu thereof "\$100,000"

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

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

S. F. No. 1935: A bill for an act relating to the organization

and administration of state government; providing changes in the distribution of receipts credited to the state forest suspense account; amending Minnesota Statutes 1971, Section 16.20, Subdivision 5.

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 878: A bill for an act relating to highways; the establishment of recreational vehicle lanes on state, county and town road rights of way, including bridges and underpasses; amending Minnesota Statutes 1971, Sections 161.20, Subdivision 2; 161.21, Subdivision 1; 165.02; and 167.50, Subdivision 1.

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

Page 1, line 15, after the period insert:

"The state planning agency shall conduct a study:

(1) to propose model standards for the establishment of snowmobile and recreational vehicle lanes on and along proposed and existing public highways, and

(2) to determine methods, other than the use of bonds, for financing the snowmobile and recreational vehicle lanes. The results of the study shall be forwarded to the commissioner of highways no later than July 1, 1974."

Page 1, line 15, strike "*July*" and insert "*January*"

Page 1, line 16, strike "*1974*" and insert "*1975*"

Page 1, line 19, after the period insert: "*In the study undertaken by the state planning agency and in the promulgation of the model standards by the commissioner, the model standards shall include but not be limited to the*"

Page 1, strike line 20

Page 1, line 27, strike "*shall*" and insert "*may*"

Page 2, strike lines 5 through 21

Page 2, line 22, after "*shall*" insert: "*cooperate in providing the information and advice for the study by the state planning agency and the promulgation of model standards and amendments thereto by the commissioner of highways:*"

Page 2, strike lines 23 and 24

Page 2, line 25, strike "*amendments thereto:*" and after the comma insert "*highways,*"

Renumber the subdivision accordingly

Page 4, line 25, strike "*most advantageous*"

Page 5, line 4, strike "*shall*" and insert "*may*"

Page 5, line 7, strike "*shall*" and insert "*may*"

Page 5, after line 27, insert:

"Sec. 7. [APPROPRIATION.] *The sum of \$25,000 is appropriated to the state planning agency from the general fund for the purposes of conducting a study of snowmobile and recreational vehicle lanes along proposed and existing public highways.*"

Amend the title in line 5, after the semi-colon insert "appropriating money;"

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

April 19, 1973

The Honorable Alec G. Olson
President of the Senate

Dear Sir:

On April 18, 1973, the Committee on Committees of the Senate met and by appropriate action made the following appointments:

Pursuant to Minneosta Statutes, 1971:

Sec. 3.89—Senate Committee on Ethics

Messrs. Conzemius, Chairman; McCutcheon; Novak and O'Neill

Pursuant to Permanent Rules of the Senate

Rule 78—Special Committee on Ethics

Messrs. Conzemius, Chairman; McCutcheon; Hansen, Baldy; Hanson, R.; Novak; Olhoft; O'Neill and Schaaf

Respectfully submitted,

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. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 906, 1211, 864, 1548, 1053, 685, 1590, 1193 and 1704 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
906	1612				
1211	1783				
864	882				
1548	1618				
685	712				
1193	1208				
1590	1576				
1704	1551				

And that the above Senate Files be indefinitely postponed.

The following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1053	1032				

Pursuant to Rule 49 the Committee recommends that H.F. No. 1053 be amended as follows:

Page 1, after line 17, insert a new section as follows:

“Section 1. Minnesota Statutes 1971, Section 176.031, is amended to read:

176.031 [EMPLOYER'S LIABILITY EXCLUSIVE.] The liability of an employer prescribed by this chapter is exclusive and in the place of any other liability to such employee, his personal representative, surviving spouse, parent, any child, dependent, next of kin, or other person entitled to recover damages on account of such injury or death. If an employer other than the state or any municipal subdivision thereof fails to insure or self-insure his liability for compensation to his injured employees and their dependents, an injured employee, or his legal representatives or, if death results from the injury, any dependent may elect to claim compensation under this chapter or to maintain an action in the courts for damages on account of such injury or death. In such action it is not necessary to plead or prove freedom from contributory negligence. The defendant may not plead as a defense that the injury was caused by the negligence of a fellow servant, that the employee assumed the risk of his employment, or that the injury was due to the contributory negligence of the employee, unless it appears that such negligence was wilful on the part of the employee. The burden of proof to establish such wilful negligence is upon the defendant. For the purposes of this chapter the state and each municipal subdivision thereof is treated as a self-insurer when not carrying insurance at the time of the injury or death of an employee. *The exemption from liability given an employer by this section shall also extend to such employer's carrier and to all employees, officers or directors of such employer or carrier, provided the exemption from liability given an employee, officer or*

director of an employer or carrier shall not apply in any case where the injury or death is proximately caused by the willful and unprovoked physical aggression of such employee, officer or director."

Page 16, line 14, delete "1 to 5" and insert in lieu thereof "2, 3, 4, 5, and 6"

Renumber the sections in sequence

Further, amend the title in line 9 thereof after "Sections" by inserting "176.031;"

And when so amended, H. F. No. 1053 will be identical to S. F. No. 1032 and further recommends that H. F. No. 1053 be given its second reading and substituted for S. F. No. 1032 and S. F. No. 1032 be indefinitely postponed. Amendments adopted.

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. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1691, 1334, 2015, 1468, 841, 1935, 2166, and 2167, were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1504, 906, 1211, 864, 1548, 1053, 685, 1193, 1590 and 1704 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Conzemius moved that the name of Mr. Milton be added as co-author to S. F. No. 852. Which motion prevailed.

Mr. Conzemius moved that the name of Mr. Milton be added as co-author to S. F. No. 2095. Which motion prevailed.

Mr. Chenoweth moved that S. F. No. 197 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Chenoweth moved that the Senate do now concur in the amendments by the House to S. F. No. 197 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 197: A bill for an act relating to corrections; regulating prison industries; authorizing the establishment of private industry within the state prison.

Was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that the report from the Committee on Taxes and Tax Laws reported April 18, 1973, pertaining to appointments be taken from the table. Which motion prevailed.

Mr. Perpich, A. J. moved that the foregoing report be now adopted. Which motion prevailed.

CONFIRMATION

Mr. Perpich, A. J. moved that in accordance with the report from the Committee on Taxes and Tax Laws, reported April 18, 1973, the Senate having advised with, do now consent to and confirm the appointment of:

TAX COURT

Earl B. Gustafson, 1818 East Third Street, Duluth, St. Louis County, appointed effective March 14, 1973, for a term expiring March 1, 1979.

Which motion prevailed. Which appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that S. F. No. 1253 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

Mr. Novak moved that S. F. No. 746 be withdrawn from the Committee on Finance. Which motion prevailed.

Mr. Novak moved that S. F. No. 746 be given its second reading and placed at the top of General Orders. Which motion prevailed.

S. F. No. 746 was read the second time.

Mr. Perpich, G. moved that H. F. No. 1399 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred

to the Committee on Rules and Administration for comparison with S. F. No. 1349. Which motion prevailed.

Mr. Schaaf moved that the name of Mr. Nelson be added as co-author to S. F. No. 1651. Which motion prevailed.

Mr. Solon moved that his name be stricken as co-author to S. F. No. 1950. Which motion prevailed.

Mr. Wegener moved that the name of Mr. Dunn be added as co-author to S. F. No. 2156. Which motion prevailed.

Mr. Wegener moved that the name of Mr. Dunn be stricken as co-author to S. F. No. 2163. Which motion prevailed.

Mr. Laufenburger moved that the name of Mr. Keefe, S. be added as co-author to S. F. No. 1067. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

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

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Kleinbaum reported that the committee had considered

S. F. Nos. 605, 1463, 1436, 1341, also H. F. No. 1429 which the committee recommends to pass.

S. F. No. 1282, which the committee recommends to pass with the following amendment offered by Mr. Perpich, A. J.:

Page 1, line 16, after "*status.*" insert the following:

"Such property shall be assessed at its market value as of January 2 of the year in which it loses its exempt status. If the property is used immediately by the purchaser as a homestead, the purchaser shall be entitled to the same homestead classification and credits he would have been entitled to had he been in possession of the property on January 2 of the year of sale and had he used the property on that date as a homestead."

S. F. No. 1056, which the committee recommends to pass with the following amendment offered by Mr. Stokowski:

Page 2, after line 1, add a section to read:

"Sec. 3. Laws 1959, Chapter 462, Section 3, Subdivision 2, as amended by Laws 1963, Chapter 645, Section 3, as amended by Laws 1967, Chapter 661, Section 3, is amended to read:

Subd. 2. In case any vacancy occurs in the office of school director because of death, resignation or cessation of his residence in the district, or any other cause, so that after the next general school election following such vacancy there shall be remaining at least two years of his unexpired term, a school director shall be elected at the next general school election to fill the place of such director, but until such election, or if no election is to be had under the foregoing provisions or because of the lack of time to comply with the election requirements when an election is pending, the remaining directors shall fill such vacancy. The director so appointed shall hold office until the first ~~Monday in July~~ *business day in January* following the election of a successor, or until that successor qualifies."

Page 2, line 4, after "Minneapolis" and before the comma insert "and the board of education of Special School District No. 1"

Re-number the remaining section

Further, amend the title in line 11 by striking "Section" and inserting in lieu thereof "Sections" and in line 12 after "amended" and before the period by inserting "; and 3, Subdivision 2, as amended"

H. F. No. 308, which the committee reports progress, subject to the following motions:

Mr. Gearty moved to amend H. F. No. 308, the typewritten bill, as amended by the Senate Committee on Finance and adopted April 5, 1973 by the Senate, as follows:

Page 6, line 2, of the amendment, strike "May" and insert "Shall"

Page 6, line 7 of the amendment, strike "May" and insert "Shall"

Page 6, line 11 of the amendment, strike "May" and insert "Shall"

Page 6, line 17 of the amendment, strike "May" and insert "Shall"

Page 6, line 27 of the amendment, strike "May" and insert "Shall"

Which motion prevailed. So the amendment was adopted.

Mr. Gearty moved to amend H. F. No. 308, the typewritten bill, as amended by the Senate Committee on Finance and adopted by the Senate April 5, 1973, as follows:

Page 4, line 21 of the amendment, strike "; except" and insert a period

Which motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 308.

And then, on motion of Mr. Kleinbaum, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that S. F. No. 841, on General Orders be stricken and re-referred to the Committee on Finance. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 4:00 o'clock p.m. Which motion prevailed.

The hour of 4:00 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	Olson, J. L.	Solon
Arnold	Frederick	Krieger	Patton	Spear
Berg	Gearty	Larson	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	Laufenburger	Perpich, G.	Ueland
Coleman	Hanson, R.	Lord	Purfeerst	Wegener
Conzemius	Keefe, S.	Milton	Renneke	Willet
Davies	Kirchner	Nelson	Schaaf	
Doty	Kleinbaum	Olson, A. G.	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that the General Orders Calendar be taken up at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS—CONTINUED

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

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Kirchner reported that the committee had considered S. F. Nos. 1117, 1583, 1057, 1386, 1503, 1476, 1035 also H. F. Nos. 1435, 205, 660, 1548, and 591 which the committee recommends to pass.

H. F. No. 308, which the committee recommends to pass with the following amendments offered by Messrs. Gearty and Conzemius:

Mr. Gearty moved to amend H. F. No. 308, the typewritten bill, as amended by the Senate Committee on Finance and adopted by the Senate April 5, 1973, as follows:

Page 7 of the amendment, after line 23, insert:

“(b) All state accounts shall be established by competitive bid among the designated depositories. The commissioner shall send written notice of his intent to accept bids for the handling of the state account, or accounts, to all designated depositories. The notice shall specify such considerations, fiscal activities, and conditions

as the commissioner may require. All such deposits shall be awarded by competitive bid to the lowest bidding depository which, in the opinion of the commissioner, has the capacity to discharge the required considerations, fiscal activities, and conditions.

(c) In exceptional cases, the commissioner may dispense with the bid procedure. In such event, he shall report the circumstances and reasons therefor to the legislative audit commission within five days after establishing the account.

(d) All presently existing state accounts shall be closed, and new accounts shall be established in compliance with the bid procedure established in clause (b) no later than one year after the effective date of this act."

Reletter the clauses in sequence

Mr. Conzemius moved to amend H. F. No. 308, the typewritten bill, as amended by the Senate Committee on Finance and adopted by the Senate April 5, 1973, as follows:

Page 25, after line 6 and before section 28 of the amendment insert:

"A copy of all post-audits, reports and results of examinations made by the legislative auditor shall be deposited with the legislative research library."

H. F. No. 942, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Amend the printed bill

Page 2, line 5, strike "60" and insert "30"

Page 2, line 12, after "lands" delete "and interests in"

Page 2, line 13, delete "lands by gift or purchase" and insert "*scenic easements or other interests in land by gift, purchase, or other lawful means, and he may acquire also by eminent domain the scenic easements interest in land. The acquisitions are those"*

S. F. No. 612, which the committee recommends to pass with the following amendments offered by Messrs. Doty and McCutcheon:

Mr. Doty moved to amend S. F. No. 612, as follows:

Page 1, line 10, strike "suggest," and insert in lieu thereof "by direct or indirect coercion"

Mr. McCutcheon moved to amend S. F. No. 612, as follows:

Page 1, after line 22, insert:

"Sec. 3. Nothing in this act shall be construed to prohibit the use of the polygraph test where a police chief determines that it is necessary to utilize the polygraph as an investigatory tool provided:

1. The questions asked the officer relate specifically, directly and narrowly to the past performance of his official duties.
2. The officer is not required to waive immunity from prosecution.

3. The officer is advised that information supplied through his answers cannot be used against him in a later criminal proceeding and that his refusal to cooperate in the investigation could result in disciplinary action, including dismissal.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 41 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Krieger	Olson, H. D.	Stokowski
Arnold	Gearty	Laufenburger	O'Neill	Tennessee
Ashbach	Hughes	Lord	Perpich, A. J.	Thorup
Borden	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Schaaf	Willet
Coleman	Keefe, J.	North	Schrom	
Conzemius	Keefe, S.	Novak	Sillers	
Davies	Knutson	Olhoff	Solon	
Doty	Kowalczyk	Olson, A. G.	Stassen	

Those who voted in the negative were:

Berg	Fitzsimons	Hanson, R.	Nelson	Patton
Bernhagen	Frederick	Josefson	Ogdahl	Renneke
Blatz	Hansen, Baldy	Kleinbaum	Olson, J. L.	Ueland
Brown	Hansen, Mel			

So the committee recommends S. F. No. 612 to pass as amended.

And then, on motion of Mr. Kirchner, 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 12:00 o'clock noon Monday, April 23, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.