

## ONE HUNDRED SECOND DAY

St. Paul, Minnesota, Monday, March 11, 1974.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Humphrey	Olson, H. D.	Spear
Ashbach	Dunn	Keefe, S.	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Patton	Tennessee
Borden	Frederick	Knutson	Perpich, A. J.	Thorup
Brown	Gearty	Kowalczyk	Perpich, G.	Wegener
Chenoweth	Hansen, Baldy	Laufenburger	Pillsbury	Willet
Coleman	Hansen, Mel	Lewis	Purfeerst	
Conzemius	Hanson, R.	Milton	Renneke	
Davies	Hughes	Olhoff	Sillers	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

## MEMBERS EXCUSED

Messrs. Blatz and Lord were excused from the Session of today. Mr. Olson, A. G. was excused from this morning's Session. Messrs. Krieger and Moe were excused from the Session of today until

10:30 o'clock a.m. Messrs. O'Neill and Nelson were excused from the Session of today until 11:00 o'clock a.m. Mr. Chenoweth was excused from the Session of today from 11:00 o'clock a.m. until 1:00 o'clock p.m. Mr. Blatz was excused from tomorrow's Session.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 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 1974	Date Filed 1974
21		101	March 8, 1974	March 8, 1974
2537		102	March 8, 1974	March 8, 1974
2952		103	March 8, 1974	March 8, 1974
3032		104	March 8, 1974	March 8, 1974
	2889	105	March 8, 1974	March 8, 1974

Sincerely,  
Arlen Erdahl, Secretary of State

### INTRODUCTION OF BILLS

Mr. Laufenburger introduced—

S. F. No. 3561: A bill for an act relating to taxation; sales and use tax; exemptions; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

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

### REPORTS OF COMMITTEES

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1967: A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

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

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon, S. F. Nos. 998, 2315, 2683 and 3088.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees.

This report is submitted by the Secretary of the Senate pursuant to the direction of the Committee on Rules and Administration. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 987: A bill for an act relating to Scott county; authorizing that county to establish a housing and redevelopment authority.

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

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [SCOTT COUNTY; HOUSING AND REDEVELOPMENT.] There is hereby created in Scott county a public body corporate and politic, to be known as the Scott county housing and redevelopment authority, having all of the powers and duties of a housing and redevelopment authority under the provisions of the municipal housing and redevelopment act, Minnesota Statutes, Sections 462.411 to 462.711, and acts amendatory thereof, which act applies to the county of Scott. For the purposes of applying the provisions of the municipal housing and redevelopment act to Scott county, the county has all the powers and duties of a municipality, the county board has all of the powers and duties of a governing body, the chairman of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county.

Sec. 2. [APPLICATION.] Subdivision 1. This act shall not limit or restrict any existing housing and redevelopment authority or prevent a municipality from creating an authority. The county shall not exercise jurisdiction in any municipality where a municipal housing and redevelopment authority is established.

Subd. 2. A municipal housing and redevelopment authority may request the Scott county housing and redevelopment authority to handle the housing duties of the authority and, in such an event, the Scott county housing and redevelopment authority shall act and have exclusive jurisdiction for housing in the municipality pursuant to the provisions of the municipal housing and redevelopment act, Minnesota Statutes, Sections 462.411 to 462.711, and acts amendatory thereof. A transfer of duties relating to housing shall not transfer any duties relating to redevelopment.

Sec. 3. [MUNICIPAL APPROVAL.] If any housing or redevelopment project is undertaken in Scott county pursuant to this authorization, and such project is within the boundaries of any incorporated village, city or township, the location of such project shall be approved by the governing body of such village, city or township.

Sec. 4. [EFFECTIVE DATE.] This act takes effect when approved by a majority of the board of county commissioners of Scott county and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title by striking the title and inserting in lieu thereof:

"A bill for an act creating a housing and redevelopment authority in Scott county; applying the provisions of the municipal housing and redevelopment act to Scott county."

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1075: A bill for an act creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act to Washington county.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2978: A bill for an act relating to the city of Minneapolis; authorizing the city to appoint a public officer or employee as commissioner on the city housing and redevelopment authority.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1952: A bill for an act relating to the construction, maintenance and repair of county ditches in Ramsey county repealing Laws 1957, Chapter 682.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2936: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2595: A bill for an act relating to the Minnehaha creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1966: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

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

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

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

Page 2, line 9, strike "1973" and insert in lieu thereof "1974"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 3331, 2883, 3264 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 their companion Senate Files as follows:

<b>CALENDAR OF</b>					
<b>GENERAL ORDERS</b>		<b>ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3331	3138	3264	3136		
2883	2717				

And that the above Senate Files be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. Nos. 3233, 3356, 3328, 3223, 3121, 3310 and 3352 for comparison to companion Senate Files, reports the

following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3233	3139			3121	2533
3356	3295				
3328	3201				
3223	3111				
3310	3419				
3352	3318				

Pursuant to Rule 49 the Committee recommends that H. F. No. 3233 be amended as follows:

Page 11, line 17, delete "through" and insert in lieu thereof "to"

Further, amend the title as follows:

Page 1, line 5, after "aids" insert "and inheritance tax distributions"

And when so amended, H. F. No. 3233 will be identical to S. F. No. 3139 and further recommends that H. F. No. 3233 be given its second reading and substituted for S. F. No. 3139 and S. F. No. 3139 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3356 be amended as follows:

Page 2, line 14, after "violation" and before the comma, insert the following language: "within the jurisdiction of the issuer's department"

Page 2, line 18, after "violation" and before the period, insert the following language: "and, if a traffic tag, shall comply with Minnesota Statutes, Section 169.99"

And when so amended, H. F. No. 3356 will be identical to S. F. No. 3295 and further recommends that H. F. No. 3356 be given its second reading and substituted for S. F. No. 3295 and S. F. No. 3295 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3328 be amended as follows:

Page 2, delete lines 16 through 28

Page 3, delete lines 1 through 12

In the title, lines 5 through 7, delete "defining qualified home owner eligible for senior citizen property tax freeze;" and in lines 9 and 10, delete "and 273.011, Subdivision 2"

And when so amended, H. F. No. 3328 will be identical to S. F. No. 3201 and further recommends that H. F. No. 3328 be given its second reading and substituted for S. F. No. 3201 and S. F. No. 3201 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3223 be amended as follows:

In the title, page 1, line 4, delete "disbursement of funds;" and insert in lieu thereof "authority over funds;"

And when so amended, H. F. No. 3223 will be identical to S. F. No. 3111 and further recommends that H. F. No. 3223 be given its second reading and substituted for S. F. No. 3111 and S. F. No. 3111 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3121 be amended as follows:

Page 1, line 19, restore the stricken "~~villages~~" and delete "*statutory cities*"

Page 1, lines 23 and 24, restore the stricken "~~villages~~" and delete "*statutory cities*"

And when so amended, H. F. No. 3121 will be identical to S. F. No. 2533 and further recommends that H. F. No. 3121 be given its second reading and substituted for S. F. No. 2533 and S. F. No. 2533 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3310 be amended as follows:

Page 2, delete all of lines 27 and 28

Page 3, delete all of lines 1 to 12

Page 6, line 3, after "of" insert "*Minnesota Statutes 1971,*"

Page 6, delete all of lines 24 to 28

Page 7, delete lines 1 and 2

Page 9, line 28, delete "*the director of the Minnesota state retirement*"

Page 10, lines 1 and 2 delete "*system shall pay out of the judges' retirement fund an amount for each member*" and insert in lieu thereof "*the employer shall pay an amount for each member*"

Page 10, delete lines 8, 9, and 10

Page 10, line 11, strike "*subdivisions*" and insert in lieu thereof "*subdivision*" and delete "*and*"

Page 10, line 12, delete "*14*"

Further, amend the title:

Page 1, line 7, after "9," insert "and" and after "10" strike the comma and insert a semicolon and delete "and"

Page 1, line 8, delete "by adding a subdivision;"

And when so amended, H. F. No. 3310 will be identical to S. F. No. 3419 and further recommends that H. F. No. 3310 be given its second reading and substituted for S. F. No. 3419 and S. F. No. 3419 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3352 be amended as follows:

Page 1, line 13, strike "department of agriculture"

Page 1, line 21, strike "the Minnesota department of"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 12, strike "department" and insert "commissioner"

Page 2, line 25, strike "department" and insert "commissioner"

Page 5, line 14, strike "department" and insert "commissioner"

Page 5, line 21, strike "department" and insert "commissioner"

Page 5, line 23, strike "department" and insert "commissioner"

Page 5, line 27, strike "department" and insert "commissioner"

Page 6, line 4, strike "It" and insert "He"

Page 7, line 4, strike "department" and insert "commissioner"

Page 9, line 1, strike "department" and insert "commissioner"

Page 10, line 2, strike "department" and insert "commissioner"

Page 10, line 12, strike "department" and insert "commissioner"

Page 12, line 10, strike "department" and insert "commissioner"

Page 12, line 13, strike "department" and insert "commissioner"

Page 12, line 18, strike "department" and insert "commissioner"

Page 13, line 10, strike "department" and insert "commissioner"

Page 13, line 24, strike "department" and insert "commissioner"

Page 14, line 11, strike "of agriculture"

Page 14, line 12, strike "of agriculture"

And when so amended, H. F. No. 3352 will be identical to S. F. No. 3318 and further recommends that H. F. No. 3352 be given its second reading and substituted for S. F. No. 3318 and S. F. No. 3318 be indefinitely postponed.

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

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2996, pursuant to the request of the House:

Messrs. Anderson, Hughes, Sillers, O'Neill, Arnold.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.



**SECOND READING OF SENATE BILLS**

Senate File Nos. 2315, 2683 and 3088 were read the second time.

**SECOND READING OF HOUSE BILLS**

House File Nos. 1967, 1966, 2595, 2936, 1952, 2978, 1075, 987, 3002, 3352, 3121, 3223, 3356, 3233, 3310, 3328, 3331, 2883 and 3264 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Gearty moved that H. F. No. 2323 and S. F. No. 2336 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

**SUSPENSION OF RULES**

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files and House Files on the Senate Calendar. The motion prevailed.

**THIRD READING OF SENATE BILLS**

S. F. No. 3061: A bill for an act relating to state parks; prohibiting littering; providing a penalty; amending Minnesota Statutes 1971, Section 85.20, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Novak	Sillers
Ashbach	Fitzsimons	Kirchner	Olhoft	Solon
Bang	Frederick	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Gearty	Knutson	Olson, J. L.	Stassen
Brown	Hansen, Baldy	Kowalczyk	Patton	Stokowski
Chenoweth	Hansen, Mel	Larson	Perpich, A. J.	Tennessee
Chmielewski	Hanson, R.	Laufenburger	Perpich, G.	Thorup
Coleman	Hughes	Lewis	Pillsbury	Ueland
Conzemius	Humphrey	McCutcheon	Purfeerst	Wegener
Davies	Jensen	Milton	Renneke	Willet
Doty	Josefson	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5, and by adding a subdivision; 145.63; and 145.64.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 3406: A bill for an act relating to historic sites; designating additional historical sites and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	North	Sillers
Arnold	Dunn	Keefe, J.	Novak	Solon
Bang	Fitzsimons	Keefe, S.	Olhoft	Spear
Bernhagen	Frederick	Kirchner	Olson, J. L.	Stokowski
Borden	Gearty	Kleinbaum	Patton	Thorup
Brown	Hansen, Baldy	Knutson	Perpich, A. J.	Ueland
Chenoweth	Hansen, Mel	Kowalczyk	Perpich, G.	Wegener
Chmielewski	Hanson, R.	Larson	Pillsbury	Willet
Coleman	Hughes	Laufenburger	Purfeerst	
Conzemiun	Humphrey	Lewis	Renneke	
Davies	Jensen	Milton	Schrom	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

### THIRD READING OF HOUSE BILLS

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoft	Spear
Arnold	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Bang	Frederick	Knutson	Olson, J. L.	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Tennessee
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Lewis	Pillsbury	Wegener
Chmielewski	Hughes	McCutcheon	Purfeerst	Willet
Coleman	Humphrey	Milton	Renneke	
Conzemiun	Jensen	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	
Doty	Keefe, S.	Ogdahl	Solon	

So the bill passed and its title was agreed to.

H. F. No. 3533: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### CALENDAR OF ORDINARY MATTERS

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

With the unanimous consent of the Senate, Mr. Davies moved to amend S. F. No. 1985, as follows:

Page 1, strike lines 8 to 21

Renumber the remaining sections

Amend the title in line 6 by striking "281.04;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 508.79; and 541.15.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 2553: A bill for an act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1986: A bill for an act relating to the city of Virginia; firemen's service, disability, and survivors pensions; repealing Laws 1953, Chapter 399, Sections 18, 20, and 23, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files and House Files on the Calendar of Ordinary Matters. The motion prevailed.

S. F. No. 2954: A bill for an act relating to the department of

education; division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 3041: A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### GENERAL ORDERS

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

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

committee had considered S. F. Nos. 3212, 2850, 2898, 2477, 3408, 1823, 1888 and 2042 which the committee recommends to pass.

S. F. No. 3354 which the committee reports progress, subject to the following motions:

Mr. Milton moved to amend S. F. No. 3354 as follows:

Page 2, line 25, delete "*the areawide health plan*" and insert "*any state and applicable area wide health plans adopted pursuant to state or federal requirements*"

Page 5, line 8, delete "*or forward the proposal with*"

Page 5, line 9, delete "*recommendations for modification of the proposal*"

Page 5, line 14, delete "*may*" and insert "*shall*"

Page 5, line 14, after "*it*" insert "*within 90 days*"

Page 5, delete lines 24 and 25

Page 5, line 26, delete "*(c)*" and reinstate the stricken language

Page 5, line 28, delete "*(d)*" and reinstate the stricken language

Page 6, line 2, after the period, insert:

*"This alternative may be utilized only twice with respect to any single proposal. The area wide comprehensive health planning agency must act on any referral within 60 days."*

Page 6, after line 2, insert:

*"Where the staff or any committee of the state board of health makes a recommendation to the state board of health contrary to the recommendation of the area wide comprehensive health planning agency, the recommendation must be forwarded to all parties known to be interested in the proposal involved, and to the appropriate area wide comprehensive health planning agency at least 10 days prior to any state board of health action on the proposal. An opportunity must be given to interested parties and to the appropriate areawide comprehensive health planning agency to appear before the board to comment on the recommendation made by the staff or committee."*

Page 6, line 7, after the period, insert:

*"If the decision of the state board of health is adverse to the applicant, the state board of health shall prepare and serve a written opinion setting forth in detail the reasons for its decision and shall serve the opinion on the applicant and inform the applicant that it has exhausted its administrative remedies."*

Page 6, line 13, after the period, insert:

*"Upon a showing of good cause, a certificate may be renewed once for a period not to exceed six months."*

Page 6, line 13, after "*which*" insert "*has been renewed once and*"

Page 7, line 6, after "*application*" insert "*to district court*"

Page 7, line 7, after the period, insert "*For the purposes of this section, the decision of the state board of health shall be deemed a*

*decision by an agency on a contested case as defined in Minnesota Statutes, Chapter 15."*

Page 7, line 9, after the period, insert:

"This act shall not apply to any application for a certificate of need submitted prior to the effective date of this act."

Mr. Kirchner moved to amend S. F. No. 3354 as follows:

Pages 6 and 7, strike all of section 7 and strike Mr. Milton's amendment to section 7

Renumber the sections in sequence

Further, amend the title as follows:

Line 6, strike "; and" and insert a period

Strike line 7

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olson, J. L.	Sillers
Ashbach	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bang	Hanson, R.	Krieger	Patton	Thorup
Berg	Jensen	Larson	Pillsbury	Ueland
Bernhagen	Josefson	McCutcheon	Purfeerst	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative were:

Borden	Doty	Kleinbaum	North	Solon
Chenoweth	Gearty	Knutson	Novak	Spear
Coleman	Hughes	Laufenburger	Olhoft	Stokowski
Conzemius	Humphrey	Lewis	Perpich, A. J.	Tennesen
Davies	Keefe, S.	Milton	Perpich, G.	Wegener

The motion prevailed. So the amendment was adopted.

The question recurred on the Milton amendment. The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S. F. No. 3354 as follows:

Page 2, line 2, strike "*change*" and insert in lieu thereof "*up-grade*"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S. F. No. 3354 as follows:

Page 3, line 20, after "*the*" insert "*present*"

The motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend his amendment to S. F. No. 3354 as follows:

In the language added to page 6, line 7, after the period, second line, after "*prepare*" strike "*and serve*" and in the fourth line, strike "*serve the opinion on*" and insert "*mail the opinion to*"

The motion prevailed. So the amendment was adopted.



Mr. Milton then moved to amend S. F. No. 3354 as follows:

Page 1, line 17, after "*facility*" insert a comma

Page 1, line 18, after "*facility*" insert a comma

The motion prevailed. So the amendment was adopted.

The question being taken on the committee recommendation to pass S. F. No. 3354,

And the roll being called, there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kirchner	North	Solon
Borden	Gearty	Kleinbaum	Novak	Spear
Chmielewski	Hughes	Lewis	Olson, H. D.	Stokowski
Coleman	Humphrey	Milton	Perpich, A. J.	Tennessee
Conzemius	Keefe, S.	Moe	Perpich, G.	Willet

Those who voted in the negative were:

Anderson	Fitzsimons	Knutson	Olson, J. L.	Sillers
Ashbach	Frederick	Kowalczyk	O'Neill	Stassen
Bang	Hansen, Baldy	Krieger	Patton	Ueland
Berg	Hansen, Mel	Larson	Pillsbury	
Bernhagen	Hanson, R.	Laufenburger	Purfeerst	
Brown	Jensen	Nelson	Renneke	
Dunn	Josefson	Ogdahl	Schrom	

The motion did not prevail. The committee then progressed S. F. No. 3354.

S. F. No. 2003 which the committee reports progress, subject to the following motion:

Mr. Kirchner moved to amend S. F. No. 2003 as follows:

Page 2, line 9, strike "*withhold*" and re-insert "*reserve*"

The motion prevailed. So the amendment was adopted.

S. F. No. 3193, which the committee recommends to pass with the following amendment offered by Mr. Gearty:

Page 8, strike lines 23 to 28

Page 9, strike lines 1 to 3

Renumber the remaining sections

Further, amend the title as follows:

Page 1, line 12, strike "*sections*" and insert "*a section*"

S. F. No. 1704, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 21, strike "*and that*" and insert a semicolon

Page 1, line 23, after "*year*" insert "*and*"

S. F. No. 2747, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 1, line 13, strike the comma

Page 1, line 14, strike "*determining*,"

Page 1, strike line 31

Page 2, line 1, strike "(g)" and insert "(f)"

Page 2, line 3, strike "(h)" and insert "(g)"

Page 2, line 4, strike "(i)" and insert "(h)"

Page 2, line 5, strike "(j)" and insert "(i)"

Page 2, line 8, strike "(k)" and insert "(j)"

Page 2, line 15, strike the comma and insert "and"

Page 2, line 15, strike "and determined"

Page 2, line 22, after "any" insert ", or culture"

Page 3, line 5, strike the entire line after "(f)" and insert "*The cultural background of the child;*"

S. F. No. 2994, which the committee recommends to pass with the following amendments offered by Messrs. Hughes and Olson, J. L.:

Mr. Hughes moved to amend S. F. No. 2994 as follows:

Page 1, line 27, after "pupils" insert "or for area vocational-technical institutes"

Page 5, line 1, after "board" insert "approves or"

Page 5, line 16, after "priority" insert "in scheduling" and further strike "to" and insert "of"

Page 6, strike lines 17 through 21, and renumber the sections accordingly

Page 6, line 23, strike "July 1, 1974" and insert "January 1, 1975"

Mr. Olson, J. L. moved to amend the Hughes amendment to S. F. No. 2994 as follows:

In the Hughes amendment to page 6, line 23, strike "January 1, 1975" and insert "July 1, 1975"

S. F. No. 3080, which the committee recommends to pass with the following amendment offered by Mr. Brown:

Page 2, line 10, strike "*the*" and insert "*any*"

Page 2, line 11, strike "*reformatory for men*" and insert "*correctional institution*"

Page 2, line 14, strike "*reformatory for men*" and insert "*state correctional institution*"

S. F. No. 3388, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 11, strike "occurring" and insert "occurs"

S. F. No. 3196, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Amend the title as follows:

Page 1, line 3, strike "commission" and insert "taxing district"

Page 1, lines 4 and 5, strike "of the metropolitan transit taxing district" and insert "as existing on October 31, 1973"

S. F. No. 2110 which the committee reports progress, subject to the following motions:

Mr. Milton moved to amend S. F. No. 2110 as follows:

Page 1, line 22, strike "purpose" and insert in lieu thereof "purposes"

Page 2, line 6, after "shall" insert ", after public hearings,"

Further, amend the title as follows:

Page 1, line 2, strike "natural resources" and insert "metropolitan government"

Page 1, line 5, before the period, insert "; providing for adoption of ordinances therefor"

The motion prevailed. So the amendment was adopted.

Mr. Milton then moved to amend S. F. No. 2110 as follows:

Page 1, line 30, strike "having planning and" and insert a period

Page 2, strike lines 1 and 2

The motion prevailed. So the amendment was adopted.

Mr. Milton then moved to amend S. F. No. 2110 as follows:

Page 3, line 3, strike "minimum"

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel moved to amend S. F. No. 2110 as follows:

Page 4, line 21, delete "may" and insert "shall"

The motion prevailed. So the amendment was adopted.

Th committee then progressed S. F. No. 2110.

And then, on motion of Mr. North, 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 9:00 o'clock a.m., Tuesday, March 12, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.