

## SECOND DAY

St. Paul, Minnesota, Wednesday, January 8, 1975

The Senate met at 11:30 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:

Berg	Dunn	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Fitzsimons	Kowalczyk	Patton	Stassen
Blatz	Gearty	Larson	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Lewis	Perpich, G.	Tennessee
Brown	Hansen, Mel	McCutcheon	Pillsbury	Ueland
Chmielewski	Hanson, R.	Moe	Purfeerst	Willet
Coleman	Humphrey	Ogdahl	Schmitz	
Davies	Keefe, S.	Olhoft	Schrom	
Doty	Kirchner	Olson, A. G.	Solon	

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

Prayer was offered by the Chaplain, Monsignor Ambrose Hayden.

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

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

The President declared a quorum present.

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

### REPORTS AND RESOLUTIONS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1974 interim by Retirement and Relief Associations and are on file in the office

of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Tenth Annual Report, 1973 Minnesota Courts; Great Lakes Commission, 1974-75; Actuarial Survey and Valuation of the Municipal Employees Retirement Fund, December 31, 1973; Department of Public Safety, Minnesota Crime Information, 1973; Department of Finance, Quarterly Financial Report, 3rd Quarter January 1, 1974 to March 31, 1974 and the nine month period July 1, 1973 to March 31, 1974; State Auditor of Minnesota on the Revenues, Expenditures, and Debt of State and Local Governments in Minnesota, July 1, 1971 to June 30, 1972; Minnesota School Boards Association Annual Report, June 30, 1974; Report of the Attorney General, 1973-74; Governor's Commission on Crime Prevention and Control, Project Evaluation; State Auditor's Report on Minnesota Counties, 1974; State of Minnesota Debt Service, June 30, 1974; Minnesota State Retirement System, Report on Actuarial Valuation, June 30, 1974; Minnesota State Judges' Retirement Fund, Report on Actuarial Valuation, June 30, 1974; Highway Patrolmen's Retirement Plan, June 30, 1974; Public Employees Retirement Association, Actuarial Valuation Report, June 30, 1974 census; Gillette Children's Hospital Annual Report, 1973-74; Teachers' Retirement Association, Report of Actuarial Valuation, June 30, 1974; Surplus Land Disposition, Biennial Report; Department of Agriculture, Biennium Report, 1972-74; Department of Public Safety, Biennial Report, July 1, 1972 to June 30, 1974; Minnesota Pollution Control Agency, Progress Report and Long-Range Plan, November 15, 1974; The Implementation Plan for the Uniform Financial Reporting System for Minnesota School Districts; Report and Recommendations of the State Personnel Board, November 15, 1974; Department of Agriculture, Revenue Report, July 1, 1972 to June 30, 1974; Department of Finance, Quarterly Financial Report, 4th Quarter April 1, 1974 to June 30, 1974 and the twelve month period July 1, 1973 to June 30, 1974; Legislative Retirement Study Commission, Summary of Expenses from July 1, 1973 to November 30, 1974; Department of Public Welfare, Comprehensive Plan, December 1974; Minnesota Commission on Interstate Cooperation, Biennial Report, 1973-74; Report of the Minnesota Indian Affairs Commission; Department of Economic Development, Biennial Report, 1973; State Court Administrator Report, Interception of Communications, 1973-74; Department of Revenue, Biennial Report, 1973-74; Report of Revisor of Statutes, Concerning Certain Opinions of the Supreme Court, November 1974; Cities and Villages per capita, Indebtedness and Classification of Indebtedness, Fiscal years ended July 1, 1972 to June 30, 1973; Cities and Villages per capita, Receipts and Disbursements, Fiscal years ended July 1, 1972 to June 30, 1973; Metropolitan Transit Commission, 1974 Annual Report; Minnesota Legislative Tax Study Commission, December 5, 1974; Minnesota State Planning Agency, 1973 Human Services Act, Final Report, January 1, 1975; Commission on Minnesota's Future, Progress Report, November 30, 1974; Minnesota Pollution Control Agency, Special Report, Potential Funding Mechanisms for a Grants-in-Aid Program for Resource Conservation and Resource Recovery, January 1975; The Fifth

Annual Report of the St. Cloud Metropolitan Transit Commission, 1974; Public Employees Retirement Association, 43rd Annual Report, June 30, 1974; Minnesota State Board of Pharmacy, July 1, 1972 to June 30, 1974; Mississippi River Parkway Commission of Minnesota, Biennial Report, 1973-75; Minnesota Session Laws 1974 Chapter 479 Report, Minnesota Data Security and Privacy Act; Department of Labor and Industry, Biennial Report, July 1, 1972 to June 30, 1974.

#### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time and referred to the committees indicated.

Mr. Arnold introduced—

S. F. No. 1: A bill for an act relating to crimes and criminals; aggravated assault; amending Minnesota Statutes 1974, Section 609.225.

Referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 2: A bill for an act relating to crimes and criminals; assault upon a child; specifying penalties therefor; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 3: A bill for an act relating to governmental operations; providing for vacancies in certain offices upon the occurrence of a vacancy in the office of governor.

Referred to the Committee on Governmental Operations.

Mr. Arnold introduced—

S. F. No. 4: A bill for an act relating to courts; general terms in ninth judicial district, eastern area; amending Minnesota Statutes 1974, Section 484.17.

Referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 5: A bill for an act relating to state employees; requiring prior written approval of out of state travel requests; amending Minnesota Statutes 1974, Section 43.327, Subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Arnold introduced—

S. F. No. 6: A bill for an act relating to tax forfeited lands; providing conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes 1974, Sections 9.071 and 282.018.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Fitzsimons, Moe and Sillers introduced—

S. F. No. 7: A bill for an act relating to motor vehicle registration; exempting trailers used by farmers to carry liquid fertilizer from licensing requirements; amending Minnesota Statutes 1974, Section 168.012, by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

Mr. Fitzsimons introduced—

S. F. No. 8: A bill for an act authorizing a Warren hospital district to create three service districts for taxing purposes; designating the method of computing the tax; providing for hearing and appeal procedures.

Referred to the Committee on Local Government.

Messrs. Fitzsimons and Arnold introduced—

S. F. No. 9: A bill for an act relating to natural resources; state timber lands; setting minimum value for informal sales; amending Minnesota Statutes 1974, Section 90.191, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Davies, Blatz and Tennessen introduced—

S. F. No. 10: A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing secured transactions and related provisions; amending Minnesota Statutes 1974, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116; 336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; repealing Minnesota Statutes 1974, Section 336.9-408.

Referred to the Committee on Judiciary.

Messrs. Doty, Anderson and Olhoft introduced—

S. F. No. 11: A bill for an act relating to taxation; deduction of certain interest in computing gross income for income tax pur-

poses; amending Minnesota Statutes 1974, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S.; Stumpf and Davies introduced—

S. F. No. 12: A bill for an act relating to zoning; public hearings; notice to property owners of proposed changes in zoning districts; amending Minnesota Statutes 1974, Section 462.357, Subdivision 3.

Referred to the Committee on Local Government.

Messrs. Keefe, S.; Ogdahl and Anderson introduced—

S. F. No. 13: A bill for an act relating to education; establishing a center for consumer education services and prescribing its duties; appropriating money.

Referred to the Committee on Education.

Messrs. Keefe, S.; Bang and Perpich, G. introduced—

S. F. No. 14: A bill for an act relating to highway traffic regulations; allowing the transportation of hockey sticks on school buses; amending Minnesota Statutes 1974, Section 169.44, by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

Messrs. Borden, Brown and Schaaf introduced—

S. F. No. 15: A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values; providing for certification of uniform containers; providing penalties.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Doty and Anderson introduced—

S. F. No. 16: A bill for an act relating to taxation; exempting from the sales tax heating oil and utility products used for residential heating; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Nelson and McCutcheon introduced—

S. F. No. 17: A bill for an act relating to crimes and criminals; making uniform the penalties for various misdemeanors and other

similar type offenses; amending Minnesota Statutes 1974, Sections 12.34, Subdivision 3; 12.45; 17.23, Subdivision 3; 21.122; 21.58, Subdivision 1; 24.077; 24.181; 29.091, Subdivision 7; 29.28; 31.185, Subdivision 13; 31.403; 31.58; 31.611; 32.101; 32.205; 32.534; 32.645, Subdivision 2; 33.091; 33.171; 34.113; 35.70, Subdivision 1; 54.28; 64A.46, Subdivision 2; 65B.13; 69.58; 71A.08, Subdivision 1; 79.23; 85.20, Subdivisions 3 and 5; 88.11, Subdivision 2; 88.13, Subdivision 3; 88.14, Subdivision 2; 88.19; 97.55, Subdivision 1, 2, 3, and 4; 127.17, Subdivision 4; 127.19; 127.20; 145.24, Subdivision 3; 145.35, Subdivision 2; 153.15; 154.19; 157.08; 168.275; 168.36, Subdivision 2; 169.121, Subdivisions 3 and 4; 175.34; 180.10; 181.30; 183.61, Subdivision 6; 197.59; 211.15, Subdivision 1; 218.071, Subdivision 2; 219.383, Subdivision 5; 219.57; 219.97, Subdivisions 1, 6, 8, 9, and 16; 222.06; 223.08, Subdivision 1; 229.19; 229.20; 232.06, Subdivision 7; 235.04; 239.23; 239.24; 239.44; 239.45; 239.511, Subdivision 3; 248.06, Subdivision 3; 297.25, Subdivision 1; 299G.10; 299H.28; 299I.22; 325.245, Subdivision 7; 325.48; 325.77, Subdivision 6; 325.83, Subdivision 2; 325.84, Subdivision 5; 327.07; 329.17, Subdivision 2; 333.13; 333.135; 340.90; 346.23; 346.26; 346.28; 346.29; 373.26, Subdivision 5; 395.22; 426.10; 481.05; 488A.06, Subdivision 4; 509.02; 509.03; 514.66; 609.17, Subdivision 4; 617.23; 624.03; 624.65, Subdivision 3; 631.04; and 641.10; repealing Minnesota Statutes 1974, Sections 31.405; 35.70, Subdivision 2; and 340.83.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 18: A bill for an act relating to historic sites; Hinckley depot restoration committee; appropriating money to the committee.

Referred to the Committee on Finance.

Messrs. North, Kirchner and Chenoweth introduced—

S. F. No. 19: A bill for an act relating to metropolitan government; reorganizing various laws relating to the metropolitan council, metropolitan commissions and other metropolitan governmental entities; repealing Minnesota Statutes 1974, Sections 360.101 to 360.144; 360.74 to 360.80; Chapters 399, 473A, 473B, 473C, 473D and 473G.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Spear, Frederick and Doty introduced—

S. F. No. 20: A bill for an act relating to motor vehicles; registration; registration and taxation of certain motor vehicles; amending Minnesota Statutes 1974, Section 168.10, Subdivision 1, and by adding subdivisions.

Referred to the Committee on Transportation and General Legislation.

Messrs. Chenoweth; Keefe, J. and Schaaf introduced—

S. F. No. 21: A bill for an act relating to the metropolitan council; providing for its size and election after the 1980 census; amending Minnesota Statutes 1974, Section 473B.02, by adding a subdivision.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Hughes, Sillers and Humphrey introduced—

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

Referred to the Committee on Education.

Messrs. Anderson, Pillsbury and Lewis introduced—

S. F. No. 23: A bill for an act relating to dogs; requiring notification to a dog's owner or the appropriate law enforcement agency prior to the dog being declared a public nuisance for interfering with domestic animals; amending Minnesota Statutes 1974, Chapter 347, by adding a section; repealing Minnesota Statutes 1974, Section 347.03.

Referred to the Committee on Transportation and General Legislation.

Messrs. Olson, H. D.; Patton and Purfeerst introduced—

S. F. No. 24: A bill for an act relating to game and fish; restricting the taking of deer to antlered bucks only; amending Minnesota Statutes 1974, Section 100.27, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Chenoweth; Keefe, J. and Anderson introduced—

S. F. No. 25: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; setting the size of the legislature at 49 senators and 98 representatives.

Referred to the Committee on Governmental Operations.

Messrs. North, Kowalczyk and Conzemius introduced—

S. F. No. 26: A bill for an act relating to the operation of state government; requiring departments, agencies and institutions of the state to procure products and services from sheltered workshops and work activity programs.

Referred to the Committee on Governmental Operations.

Messrs. Hansen, Mel; Nelson and Berg introduced—

S. F. No. 27: A bill for an act relating to elections; regulating the position of names on ballots; amending Minnesota Statutes 1974, Section 203.34, Subdivision 1; and repealing Minnesota Statutes 1974, Section 203.33, Subdivision 3.

Referred to the Committee on Transportation and General Legislation.

#### MESSAGES 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: A senate concurrent resolution relating to the adoption of temporary joint rules.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 7, 1975

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: A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 7, 1975

Mr. President:

Pursuant to Article IV, Section 12, of the Constitution of the State of Minnesota, the House of Representatives requests the consent of the Senate for adjournment of the House from Wednesday, January 8, 1975 to Monday, January 13, 1975.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 7, 1975

Mr. Coleman moved that the Senate consent to the request of the House of Representatives for adjournment of the House from Wednesday, January 8, 1975 to Monday, January 13, 1975. The motion prevailed.

#### RECESS

Mr. Coleman moved that the Senate do now recess until after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appointed time.



Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

#### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bill was read the first time and referred to the committee indicated.

Messrs. Davies, Knutson and Olson, A. G. introduced—

S. F. No. 28: A bill for an act relating to the compensation of victims of motor vehicle accidents; providing that survivors economic loss benefits shall be decreased by any expenses avoided by the decedent's death; requiring cooperation of a person claiming benefits before and after commencement of suit; requiring bureau notification within a specified time under the assigned claims plan; amending Minnesota Statutes 1974, Sections 65B.43, Subdivisions 7 and 12; 65B.44, Subdivisions 1, 2, 6, 7 and 8; 65B.51, Subdivision 2; 65B.56, Subdivision 1; 65B.59; 65B.61, Subdivision 2; 65B.65; 65B.67, Subdivisions 1 and 2; repealing Minnesota Statutes 1974, Section 65B.52.

Referred to the Committee on Labor and Commerce.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, January 9, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate