

## TENTH DAY

St. Paul, Minnesota, Monday, February 3, 1975

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

Prayer was offered by the Chaplain, Rev. Omar J. Hardin.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Messrs. Berg; Borden; Chenoweth; Keefe S. and Sillers were excused from the Session of today.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 30, 1975

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

The following appointments to the State Ethics Commission are hereby submitted to the Senate for confirmation as required by law:

Mrs. Elizabeth Ebbott, 409 Birchwood Avenue, Birchwood,

Washington County, effective April 29, 1974, for a term expiring April 29, 1975.

Mrs. Rosemary Davis, 4007 Cedarwood Road, St. Louis Park, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1976.

Stanley W. Holmquist, Grove City, Meeker County, effective April 29, 1974, for a term expiring April 29, 1976.

Judge Spencer Sokolowski, 10334 N.W. Mississippi Boulevard, Coon Rapids, Anoka County, effective April 29, 1974, for a term expiring April 29, 1977.

David Durenberger, 4887 East Lake Harriet Boulevard, Minneapolis, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1978.

Irene Scott, 5416 - 28th Avenue South, Minneapolis, Hennepin County, effective April 29, 1974, for a term expiring April 29, 1978.

Sincerely,  
Wendell R. Anderson, Governor

The appointments were referred to the Committee on Rules and Administration.

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

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

Messrs. Doty, Schaaf and Keefe, J. introduced—

S. F. No. 233: A bill for an act relating to the operation of state government; equalizing reimbursement for members of boards and commissions.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, O'Neill and North introduced—

S. F. No. 234: A bill for an act relating to eminent domain; providing for payments and benefits in negotiated acquisitions under no threat of eminent domain; waiver of benefits; amending Minnesota Statutes 1974, Chapter 117, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Hansen, Mel; Schrom and Schmitz introduced—

S. F. No. 235: A bill for an act relating to game and fish; authorizing reciprocal agreements on certain license fees, amending Minnesota Statutes 1974, Section 98.46, by adding a subdivision.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Doty, Kirchner and North introduced—

S. F. No. 236: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for social services; amending Minnesota Statutes 1974, Section 393.12.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Purfeerst, Knutson and Conzemius introduced—

S. F. No. 237: A bill for an act relating to appropriations; appropriating money for transitional expenses of certain welfare and corrections employees.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 238: A bill for an act relating to taxation; using, storing or consuming tangible personal property; amending Minnesota Statutes 1974, Section 297A.14.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum, Laufenburger and Ueland introduced—

S. F. No. 239: A bill for an act relating to state colleges; designating all state colleges as state universities; amending Minnesota Statutes 1974, Section 136.01, and Chapter 136, by adding a section.

Referred to the Committee on Education.

Messrs. Lewis, Kirchner and Stumpf introduced—

S. F. No. 240: A bill for an act relating to parole and probation; authorizing the purchase of parole and probation services from public and private agencies; amending Minnesota Statutes 1974, Section 243.09, Subdivisions 1 and 3.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Jensen and Ashbach introduced—

S. F. No. 241: A bill for an act relating to crimes and criminals; regulating the transfer, possession and use of pistols; requiring permits to carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols; prescribing penalties; increasing penalties for crimes of violence involving pistols; amending Minnesota Statutes 1974, Section 609.66.

Referred to the Committee on Judiciary.

Messrs. Lewis, Kirchner and Conzemius introduced—

S. F. No. 242: A bill for an act relating to corrections; defining

powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Section 241.01, Subdivision 5a, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lewis, Kirchner and Conzemius introduced—

S. F. No. 243: A bill for an act relating to corrections; retainability of funds received for use of facilities; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 7; and 260.151, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 244: A bill for an act relating to the city of Minneapolis; authorizing the issuance of on-sale liquor licenses to certain establishments.

Referred to the Committee on Labor and Commerce.

Messrs. Coleman; Keefe, J. and McCutcheon introduced—

S. F. No. 245: A bill for an act relating to juvenile court; reference for prosecution of certain juveniles; amending Minnesota Statutes 1974, Section 260.125, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. O'Neill, Nelson and Solon introduced—

S. F. No. 246: A bill for an act relating to education; the Minnesota gifted and talented student act; appropriating money; amending Minnesota Statutes 1974, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Wegener; Hanson, R. and Willet introduced—

S. F. No. 247: A bill for an act relating to intoxicating liquor; authorizing issuance of off-sale licenses by towns; amending Minnesota Statutes 1974, Section 340.11, Subdivisions 13 and 14.

Referred to the Committee on Labor and Commerce.

Messrs. Wegener; Hanson, R. and Willet introduced—

S. F. No. 248: A bill for an act relating to towns; hours of annual town meetings; amending Minnesota Statutes 1974, Section 365.54.

Referred to the Committee on Local Government.

Messrs. Schrom; Hanson, R. and Wegener introduced—

S. F. No. 249: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1974, Section 101.42, Subdivision 16.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Coleman, Ashbach and Conzemius introduced—

S. F. No. 250: A bill for an act creating a citizens committee on the Minnesota legislature; appropriating money.

Referred to the Committee on Governmental Operations.

Mr. Keefe, J. introduced—

S. F. No. 251: A bill for an act relating to the city of Minnetonka; volunteer firemen's pensions.

Referred to the Committee on Governmental Operations.

Mr. Anderson introduced—

S. F. No. 252: A bill for an act relating to the legislature; providing for part of the apportionment of representative districts 19A and 19B.

Referred to the Committee on Transportation and General Legislation.

Messrs. Humphrey, Nelson and Schaaf introduced—

S. F. No. 253: A bill for an act relating to agriculture; requiring labeling of certain plants and flowers; providing a penalty.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Schrom, O'Neill and Moe introduced—

S. F. No. 254: A bill for an act relating to education; school districts; powers and duties; authorizing the leasing of school buildings; amending Minnesota Statutes 1974, Section 123.36, Subdivision 7.

Referred to the Committee on Education.

Messrs. Spear and Lewis introduced—

S. F. No. 255: A bill for an act relating to highways; providing for a moratorium on certain trunk highway construction and land acquisition within the seven county metropolitan area.

Referred to the Committee on Metropolitan and Urban Affairs. Mr. Laufenburger questioned the reference thereon and, under

Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson, H. D. introduced—

S. F. No. 256: A bill for an act relating to the city of Butterfield firemen's relief association; authorizing payment of certain pensions to certain members.

Referred to the Committee on Governmental Operations.

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

S. F. No. 257: A bill for an act relating to courts; providing for transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

Referred to the Committee on Judiciary.

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

S. F. No. 258: A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and political subdivisions of the state; amending Minnesota Statutes 1974, Section 466.05, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. O'Neill, Tennessen and Jensen introduced—

S. F. No. 259: A bill for an act relating to the status of missing persons; providing for the distribution of property of persons presumed dead; amending Minnesota Statutes 1974, Section 576.16.

Referred to the Committee on Judiciary.

Messrs. North; Keefe, J. and Keefe, S. introduced—

S. F. No. 260: A bill for an act providing for the registration and regulation of automotive repair dealers and the certification of mechanics by the director of the section of consumer services; establishing an advisory board; providing penalties.

Referred to the Committee on Labor and Commerce.

Messrs. Purfeerst, Ogdahl and Solon introduced—

S. F. No. 261: A bill for an act relating to the purchase of surplus state property at public auction by state employees; amending Minnesota Statutes 1974, Section 15.055.

Referred to the Committee on Governmental Operations.

Mr. Purfeerst introduced—

S. F. No. 262: A bill for an act relating to metropolitan govern-

ment; defining the metropolitan area to exclude that portion of the city of New Prague which lies in Scott county; amending Minnesota Statutes 1974, Section 473B.011, subdivision 2.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. O'Neill, Gearty and Kirchner introduced—

S. F. No. 263: A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes therefor; authorizing the metropolitan sports commission to impose an admissions tax; amending Minnesota Statutes 1974, Sections 473B.011, Subdivision 3; 473B.06, Subdivision 5a; and 473B.063, Subdivision 1.

Referred to the Committee on Metropolitan and Urban Affairs.

Mr. Kleinbaum introduced—

S. F. No. 264: A bill for an act relating to St. Cloud; metropolitan transit commission; eliminating the wheelage tax; providing for an annual tax levy and the issuance of bonds; amending Laws 1969, Chapter 1134, Section 10; repealing Laws 1969, Chapter 1134, Section 4.

Referred to the Committee on Local Government.

Messrs. Bernhagen, Humphrey and Josefson introduced—

S. F. No. 265: A bill for an act relating to taxation; exempting from sales, use and property tax certain property to be used in the construction of or constituting a solar energy heating or cooling system for a building; amending Minnesota Statutes 1974, Sections 272.02, Subdivision 1; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. North, Nelson and Spear introduced—

S. F. No. 266: A bill for an act relating to the livestock contingency fund; repealing Minnesota Statutes 1974, Section 246.32.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton, O'Neill and Konzemius introduced—

S. F. No. 267: A bill for an act authorizing the Minnesota higher education facilities authority to construct and finance health care facilities; changing its name and increasing its membership; amending Minnesota Statutes 1974, Sections 136A.25; 136A.26; 136A.27; 136A.28; 136A.29, Subdivisions 1, 6, 9, 10, 14, 21, and 22; 136A.36; and 136A.41.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 268: A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes 1974, Section 43.329.

Referred to the Committee on Governmental Operations.

Messrs. Ueland; Hansen, Baldy and Ashbach introduced—

S. F. No. 269: A bill for an act relating to commerce; protecting laboring men and women; providing for the filing of economic impact statements; prohibiting certain officials from enforcing environmental standards in certain circumstances; appropriating money.

Referred to the Committee on Labor and Commerce.

Messrs. Doty, O'Neill and Lewis introduced—

S. F. No. 270: A bill for an act relating to commerce; authorizing the public service commission to promulgate rules and regulations to protect telephone subscribers from receiving uninvited telephone solicitations for the sale of merchandise; prescribing penalties.

Referred to the Committee on Labor and Commerce.

Messrs. North, Nelson and Lewis introduced—

S. F. No. 271: A bill for an act relating to counties; corrections; community based programs; amending Minnesota Statutes 1974, Sections 401.02; 401.08, Subdivision 1; 401.14; and 401.15, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. North, Stassen and Milton introduced—

S. F. No. 272: A bill for an act relating to the organization and operation of state government; transferring functions of certain state agencies; permitting the creation of two advisory agencies; abolishing various state agencies; amending Minnesota Statutes 1974, Sections 116C.03, Subdivision 2; 173.02, Subdivision 4; 173.04, Subdivisions 2 and 3; 206.08; 241.045, Subdivision 1; 256.482, Subdivision 5; and 507.09; repealing Minnesota Statutes 1974, Sections 12.12; 29.011; 29.013; 94.36 to 94.40; 115.17; 116C.04, Subdivisions 8 and 9; 116C.05; 136B.01; 136B.02; 173.04, Subdivision 1; 176.621; 176.631; 332.36; and 507.08.

Referred to the Committee on Governmental Operations.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the



following House File, herewith transmitted: H. F. No. 75.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted January 30, 1975

Mr. President:

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

House Concurrent Resolution No. 1: A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted January 30, 1975

Mr. Coleman moved that the foregoing resolution be referred to the Committee on Rules and Administration. The motion prevailed.

#### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the Committee on Rules and Administration.

H. F. No. 75: A bill for an act relating to elections; recodifying statutes relating to caucuses and conventions; primary elections; candidates; general elections; special elections; preparation of ballots; conduct of elections; providing penalties; amending Minnesota Statutes 1974, Sections 40.05, Subdivision 3; 123.31, Subdivision 2; 206.11; 206.18; 206.185, Subdivision 1; 365.51; 365.52; 375.20; and 382.28; repealing Minnesota Statutes 1974, Chapters 202, 203, and 204; and Sections 210.02; 210.03; 210.07; 210.08; 210.09; 210.10; 210.12; 210.13; 210.15; and 210.16.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the committee report on S. F. No. 103 and reports pertaining to appointments. The motion prevailed.

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

S. F. Nos. 94, 104, 109, 123, 168, 169, 173, 174, 175, 181, and 185 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 94 to the Committee on Governmental Operations.

S. F. Nos. 104 and 175 to the Committee on Health, Welfare and Corrections.

S. F. No. 173 to the Committee on Judiciary.

S. F. Nos. 109, 123, 168, 169, 181, and 185 to the Committee on Labor and Commerce.

S. F. No. 174 to the Committee on Metropolitan and Urban Affairs.

Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 103: A bill for an act relating to the Gillette hospital authority; authorizing use of certified public accountants to audit and examine the financial records of the authority; amending Minnesota Statutes 1974, Section 250.05, Subdivision 3.

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

Page 1, line 22, after the period insert "*The working papers of the certified public accountant relating to the authority shall be made available to the legislative auditor upon request.*"

And when so amended the bill do pass. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was re-referred to the Committee on Rules and Administration.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were referred the following appointments as reported in the Journal for Thursday, January 16, 1975:

#### **GILLETTE HOSPITAL AUTHORITY**

Dr. Robert Winter  
Dr. Betty Green

#### **MINNESOTA CORRECTIONS AUTHORITY**

Mrs. Dorothy Skwiera  
Ronald G. Byrnes

#### **STATE EXAMINING COMMITTEE FOR PHYSICAL THERAPISTS**

Dr. Thomas Anderson  
John Allison

#### **VETERANS HOME BOARD**

Stan Dickinson

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Conzemius moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 75 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 75 to the Committee on Transportation and General Legislation.

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.

#### GENERAL ORDERS

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

After some time spent therein, the committee arose, and Mr. Olson, A. G. reported that the committee had considered the following:

S. F. No. 8 which the committee recommends to pass.

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

#### MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Thursday, February 6, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate