

THIRTEENTH DAY

St. Paul, Minnesota, Thursday, February 13, 1975

The Senate met at 11:00 o'clock a.m., 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	Davies	Keefe, S.	Olhoft	Sillers
Arnold	Doty	Kirchner	Olson, A. G.	Solon
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Spear
Bang	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Berg	Frederick	Larson	O'Neill	Stokowski
Bernhagen	Gearty	Laufenburger	Patton	Stumpf
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brataas	Hanson, R.	Merriam	Pillsbury	Wegener
Brown	Hughes	Milton	Purfeerst	Willet
Chenoweth	Humphrey	Moe	Renneke	
Chmielewski	Jensen	Nelson	Schaaf	
Coleman	Josefson	North	Schmitz	
Conzemius	Keefe, J.	Ogdahl	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. Knutson and Nelson were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 3, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

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

Edward Driscoll, 1410 St. Paul Avenue, St. Paul, Ramsey County, has been appointed by me as Commissioner of the Division of Securities, Department of Commerce, effective January 6, 1975, for a term expiring January 1, 1979.

Mrs. Katherine Sasseville, 10619 James Road, Bloomington, Hennepin County, has been appointed by me as Public Service Commissioner, effective February 3, 1975, for a term expiring December 31, 1975.

John C. McKay, 2106 Caroline Lane, South St. Paul, Dakota County, has been appointed by me as Director of the Minnesota Energy Agency, effective January 6, 1975, for a term expiring January 1, 1979.

Arthur Roemer, 550 Silver Lake Road, New Brighton, Ramsey County, has been appointed by me as Commissioner of the Department of Revenue, effective January 6, 1975, for a term expiring January 1, 1979.

Grant Merritt, 8124 - 40th Avenue North, Minneapolis, Hennepin County, has been appointed by me as Executive Director of the Pollution Control Agency, effective January 6, 1975, for a term expiring January 1, 1979.

Vera Likins, 1748 Wellesley Avenue, St. Paul, Ramsey County, has been appointed by me as Commissioner of the Department of Public Welfare, effective January 6, 1975, for a term expiring January 1, 1979.

Robert Herbst, 10444 - 5th Avenue Circle, Bloomington, Hennepin County, has been appointed by me as Commissioner of the Department of Natural Resources, effective January 6, 1975, for a term expiring January 1, 1979.

Lawrence Anderson, 4905 Elliot Avenue, Minneapolis, Hennepin County, has been appointed by me as Director of the Public Service Commission, effective January 6, 1975, for a term expiring January 1, 1979.

Sherry Chenoweth, 1126 Ivy Street, St. Paul, Ramsey County, has been appointed by me as Director of the Division of Consumer Services, Department of Commerce, effective January 6, 1975, for a term expiring January 1, 1979.

E. I. Malone, 3403 West 28th Street, Minneapolis, Hennepin County, has been appointed by me as Commissioner of the Department of Labor and Industry, effective January 6, 1975, for a term expiring January 1, 1979.

Edward Ziegler, 510 South Owens, Stillwater, Washington County, has been appointed by me as Commissioner of the Department of Finance, effective January 6, 1975, for a term expiring January 1, 1979.

Emmet Cushing, 5641 - 27th Avenue South, Minneapolis, Hennepin County, has been appointed by me as Commissioner of the Department of Employment Services, effective January 6, 1975, for a term expiring January 1, 1979.

James Heltzer, 3857 Brookview Drive, St. Louis Park, Hennepin County, has been appointed by me as Commissioner of the Department of Economic Development, effective January 6, 1975, for a term expiring January 1, 1979.

Kenneth F. Schoen, 1612 Morningside Road, Stillwater, Washington County, has been appointed by me as Commissioner of the Department of Corrections, effective January 6, 1975, for a term expiring January 1, 1979.

Jon Wefald, 61 Flandrau Place, St. Paul, Ramsey County, has been appointed by me as Commissioner of the Department of Agriculture, effective January 6, 1975, for a term expiring January 1, 1979.

Lawrence McCabe, 1351 Cherokee Avenue, St. Paul, Ramsey County, has been appointed by me as Commissioner of the Department of Aeronautics, effective January 6, 1975, for a term expiring January 1, 1979.

Richard Brubacher, 414 Hazel Lane, Hopkins, Hennepin County, has been appointed by me as Commissioner of the Department of Administration, effective January 6, 1975, for a term expiring January 1, 1979.

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. Olson, A. G.; O'Neill and Keefe, S. introduced—

S. F. No. 381: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary tax burdens; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 273.011, Subdivision 6; 273.13, Subdivisions 6 and 7; 290.066, Subdivision 2; and 290.09, Subdivision 4; repealing Minnesota Statutes 1974, Sections 273.13, Subdivisions 14a, 15a and 18; 290.0601 to 290.0618; and 290.981 to 290.992.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chenoweth, Larson and Doty introduced—

S. F. No. 382: A bill for an act relating to human rights; prohibiting employment discrimination based on age; amending Minnesota Statutes 1974, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1; 363.03, Subdivision 1, and by adding a subdivision; 363.115; and 363.12, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Chenoweth, Brown and Keefe, S. introduced—

S. F. No. 383: A bill for an act relating to campaigns for public office; amending Minnesota Statutes 1974, Chapter 10A, by adding a section.

Referred to the Committee on Transportation and General Legislation.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 384: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 385: A bill for an act relating to taxation; changing date and method of distribution of homestead credit aid and certain other aids; providing for certification of homestead credit on abstract of tax list; defining census for purpose of levy limitation; providing for payment date of certain taconite taxes and taconite and taconite railroad tax aids; amending Minnesota Statutes 1974, Sections 124.03, Subdivision 3; 270.11, Subdivision 2; 273.13, Subdivision 15a; 275.29; 275.53, Subdivision 1; 294.26; 298.27; 298.28, Subdivision 1; 298.281, Subdivision 1; 298.282, Subdivision 4; and 298.32.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 386: A bill for an act relating to taxation; providing for administration of inheritance taxes; amending Minnesota Statutes 1974, Sections 291.005; 291.07, Subdivision 1, and by adding a subdivision; 291.09, Subdivision 1; 291.14, Subdivision 1, and by adding a subdivision; 508.22; and 559.013, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 525.693.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 387: A bill for an act relating to taxation; providing for taxation of certain types of air commerce; amending Minnesota Statutes 1974, Sections 270.071, Subdivision 6; and 270.072, Subdivisions 2 and 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 388: A bill for an act relating to taxation; treatment of certain employee retirement plans; eliminating any question of disqualification of the plans and related trusts because of increased contribution limits under the Internal Revenue Code of 1954, as amended; otherwise preserving Minnesota tax treatment of the plans; amending Minnesota Statutes 1974, Section 290.01, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 389: A bill for an act relating to sales and use tax; providing for bonding for certain contractors and seizure of certain property; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 8; Section 297A.15; and Chapter 297A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 390: A bill for an act relating to taxation; regulating tax treatment of certain employees trust and annuity plans; amending Minnesota Statutes 1974, Sections 290.01, Subdivision 20; and 290.26.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Stumpf and Ueland introduced—

S. F. No. 391: A bill for an act relating to highway traffic regulations; prohibiting the idling of school buses for warmth; amending Minnesota Statutes 1974, Section 169.44, by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

Messrs. Chenoweth and Stokowski introduced—

S. F. No. 392: A bill for an act relating to appropriations; appropriating funds for the payment of certain retirement benefits.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Kirchner and Schaaf introduced—

S. F. No. 393: A bill for an act relating to the metropolitan airports commission; exercise of powers; tax levy; amending Minnesota Statutes 1974, Section 360.109, Subdivision 5.

Referred to the Committee on Metropolitan and Urban Affairs.

Mr. Milton introduced—

S. F. No. 394: A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Section 3.195.

Referred to the Committee on Rules and Administration.

Messrs. Perpich, G.; Willet and Hansen, Baldy introduced—

S. F. No. 395: A bill for an act relating to taxation; exempting United States flags from the sales and use tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knutson; Perpich, G. and Kowalczyk introduced—

S. F. No. 396: A bill for an act relating to certain nonprofit corporations; expense reimbursement to child caring agencies; amending Minnesota Statutes 1974, Section 317.65, Subdivision 7.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. North, Knutson and Perpich, G. introduced—

S. F. No. 397: A bill for an act relating to the department of public welfare; eliminating the duty of the commissioner of public welfare to appoint directors of community mental health services; amending Minnesota Statutes 1974, Section 245.69.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton, Pillsbury and Schaaf introduced—

S. F. No. 398: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1974, Sections 259.10; 259.11; 517.08, Subdivision 3; 518.27; and Chapter 517, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Stokowski; Hansen, Mel and Gearty introduced—

S. F. No. 399: A bill for an act relating to taxation; authorizing payments to certain homeowners as reimbursement for home expenditures; appropriating money; amending Minnesota Statutes 1974, Sections 290.984; 290.986; 290.988, Subdivision 1; and 290.989.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, O'Neill and McCutcheon introduced—

S. F. No. 400: A bill for an act relating to taxation; providing for filing and disclosure requirements for certain tax exempt property; providing a penalty; amending Minnesota Statutes 1974, Section 272.02, Subdivision 1; and Chapter 272, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Milton, O'Neill and Gearty introduced—

S. F. No. 401: A bill for an act relating to taxes; providing property tax relief for certain elderly and disabled home owners; amending Minnesota Statutes 1974, Section 273.011, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Milton and Keefe, S. introduced—

S. F. No. 402: A bill for an act relating to labor; increasing the minimum wage; amending Minnesota Statutes 1974, Section 177.24.

Referred to the Committee on Labor and Commerce.

Messrs. Stassen, Schrom and O'Neill introduced—

S. F. No. 403: A bill for an act relating to elections; removing the requirement that access be permitted to multiple unit dwellings for the purpose of campaigning; repealing Minnesota Statutes 1974, Section 211.41.

Referred to the Committee on Transportation and General Legislation.

Messrs. Kleinbaum, Laufenburger and Ueland introduced—

S. F. No. 404: A bill for an act relating to intoxicating and non-intoxicating liquor, possession in school buildings and grounds; amending Minnesota Statutes 1974, Section 624.701, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. Kleinbaum, Schrom and Larson introduced—

S. F. No. 405: A bill for an act relating to game and fish; seasons for taking of certain fish; amending Minnesota Statutes 1974, Section 101.41, Subdivisions 2 and 4.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Olhoft, Dunn and Borden introduced—

S. F. No. 406: A bill for an act relating to solid waste disposal; regulating the disposal of certain motor vehicle tires; requiring the

licensing and bonding of certain tire carriers; providing for the licensing of certain disposal facilities; providing penalties.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Hansen, Mel; Davies and O'Neill introduced—

S. F. No. 407: A bill for an act relating to education; providing for pilot preschool assessment programs; appropriating money.

Referred to the Committee on Education.

Messrs. Brown, Chmielewski and Berg introduced—

S. F. No. 408: A bill for an act relating to taxation; exempting water from sales taxation; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Conzemius, Knutson and Perpich, G. introduced—

S. F. No. 409: A bill for an act relating to health; requiring coverage of emotionally disturbed children in health benefit plans; amending Minnesota Statutes 1974, Chapter 62A, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Chmielewski and Laufenburger introduced—

S. F. No. 410: A bill for an act relating to motor vehicles; registration and taxation; rate of tax on commercial vehicles; urban truck taxation; amending Minnesota Statutes 1971, Section 168.013, Subdivision 1e, as amended by Laws 1973, Chapter 218, Section 3.

Referred to the Committee on Transportation and General Legislation.

Mr. Schrom introduced—

S. F. No. 411: A bill for an act relating to crimes; negotiable instruments; issuance of a worthless check; providing for prosecutions thereof; amending Minnesota Statutes 1974, Section 609.535, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Schrom and Bernhagen introduced—

S. F. No. 412: A bill for an act relating to game and fish; opening of seasons; amending Minnesota Statutes 1974, Section 97.48, Subdivision 23.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Willet, Dunn and Wegener introduced—

S. F. No. 413: A bill for an act relating to natural resources; authorizing acquisition of perpetual conservation restrictions by the commissioner of natural resources and certain nonprofit corporations; amending Minnesota Statutes 1974, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius, Kirchner and Keefe, S. introduced—

S. F. No. 414: A bill for an act relating to human rights; prohibiting discrimination against individuals who have undergone treatment for a disability; amending Minnesota Statutes 1974, Section 363.01, Subdivision 25.

Referred to the Committee on Judiciary.

Messrs. Hughes, Pillsbury and Doty introduced—

S. F. No. 415: A bill for an act relating to drivers' licenses and privileges; designating certain persons who operate motor vehicles as habitual traffic offenders; providing for the revocation of the licenses and driving privileges of such persons to operate motor vehicles in this state; providing a penalty; amending Minnesota Statutes 1974, Chapter 171, by adding sections; and Sections 171.04, and 171.24.

Referred to the Committee on Judiciary.

Messrs. Hughes, Pillsbury and Doty introduced—

S. F. No. 416: A bill for an act relating to highway traffic regulations; driving under the influence of alcoholic beverages or narcotic drugs; prescribing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivisions 1, 2 and 4.

Referred to the Committee on Judiciary.

Messrs. Stassen, Nelson and Patton introduced—

S. F. No. 417: A bill for an act relating to education; handicapped children; increasing aids; amending Minnesota Statutes 1974, Section 124.32, Subdivision 1.

Referred to the Committee on Education.

Messrs. Milton; Perpich, A. J. and McCutcheon introduced—

S. F. No. 418: A bill for an act relating to commerce; restricting

public advertising by all regulated public utilities; giving enforcement powers to the public service commission; providing a penalty.

Referred to the Committee on Labor and Commerce.

Messrs. Stassen and Patton introduced—

S. F. No. 419: A bill for an act relating to education; tax levies; foundation aids; providing increased aid for schools with declining enrollments; amending Minnesota Statutes 1974, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Stassen and Fitzsimons introduced—

S. F. No. 420: A bill for an act relating to taxation; providing a property tax refund for certain uncultivated or unharvested agricultural land; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dunn, Schrom and Brown introduced—

S. F. No. 421: A bill for an act relating to natural resources; eliminating duplicate, previously repealed language; amending Minnesota Statutes 1974, Section 105.41, Subdivision 1b.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Bernhagen, Wegener and Dunn introduced—

S. F. No. 422: A bill for an act relating to town government; authorizing town boards to fix the compensation of town assessors without limitation; amending Minnesota Statutes 1974, Sections 273.04; and 367.05, Subdivision 1.

Referred to the Committee on Local Government.

Messrs. Blatz; Perpich, A. J. and Pillsbury introduced—

S. F. No. 423: A bill for an act relating to taxation; employers excise tax; repealing Minnesota Statutes 1974, Sections 290.031; 290.921; and 290.922.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 424: A bill for an act relating to veterans; providing for the construction and equipment of a nursing care unit at the Minnesota veterans home; providing for the state's share in construction; authorizing disposal of buildings to be replaced by the nursing unit; authorizing issuance of building bonds for the construction and equipment.

Referred to the Committee on Transportation and General Legislation. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Chmielewski and Anderson introduced—

S. F. No. 425: A bill for an act relating to taxation; exempting residential heating products from the sales and use tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, J. L.; Moe and Bernhagen introduced—

S. F. No. 426: A bill for an act relating to foods; requiring eating places that serve meat containing meat substitutes for consumption on the premises to indicate the same on its menu or bill of fare; prescribing penalties.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Doty, Moe and Gearty introduced—

S. F. No. 427: A bill for an act relating to mortgages and contracts for deed; requiring interest payment on moneys held in escrow for the payment of real estate taxes, insurance, and other charges.

Referred to the Committee on Labor and Commerce.

Mr. Chmielewski introduced—

S. F. No. 428: A bill for an act relating to Independent School Districts No. 93 and No. 99; allowing foundation aid payments to be made thereto on the basis of the uncontested portion of the adjusted assessed valuation of these districts; amending Laws 1974, Chapter 521, Section 9.

Referred to the Committee on Education.

Messrs. Conzemius, Knutson and Stassen introduced—

S. F. No. 429: A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

Referred to the Committee on Transportation and General Legislation.

Messrs. Doty and Olhoft introduced—

S. F. No. 430: A bill for an act relating to taxation; establishing

an income tax credit for public transportation users; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Conzemius and Willet introduced—

S. F. No. 431: A bill for an act relating to public health; establishing the office of director of health care delivery services for migrating Indians.

Referred to the Committee on Governmental Operations. Mr. Gearty questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 7, 32, 87, 135 and 136.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 10, 1975

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 7: A bill for an act relating to interim claims against the state; appropriating moneys for the payment thereof.

H. F. No. 32: A bill for an act relating to education; compulsory attendance and enforcement; amending Minnesota Statutes 1974, Section 120.12, Subdivisions 1 and 3.

H. F. No. 87: A bill for an act relating to highway traffic regulations; evidence of speed of a motor vehicle through radar or other speedalyzer devices; standards required for admission as evidence; amending Minnesota Statutes 1974, Section 169.14, by adding a subdivision.

H. F. No. 135: A bill for an act relating to taxation; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigarettes; amending Minnesota Statutes 1974, Section 297.08, Subdivisions 1 and 2, and by adding a subdivision.

H. F. No. 136: A bill for an act relating to taxation; changing date and method of distribution of homestead credit aid and certain other aids; providing for certification of homestead credit on abstract of tax list; defining census for purpose of levy limitation; providing for payment date of certain taconite taxes and taconite and taconite railroad tax aids; amending Minnesota Stat-

utes 1974, Sections 124.03, Subdivision 3; 270.11, Subdivision 2; 273.13, Subdivision 15a; 275.29; 275.53, Subdivision 1; 294.26; 298.27; 298.28, Subdivision 1; 298.281, Subdivision 1; 298.282, Subdivision 4; and 298.32.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 182: A bill for an act relating to counties; county sheriffs; fees for boarding prisoners in county jails; amending Minnesota Statutes 1974, Sections 387.20, Subdivisions 5 and 6; and 641.12; repealing Minnesota Statutes 1974, Sections 641.11 and 641.13.

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

Page 2, after line 23, insert the following:

"Sec. 3. Minnesota Statutes 1974, Section 641.02, is amended to read:

641.02 [FUGITIVES FROM JUSTICE, SAFEKEEPING; FEES.] Any county jail may be used for the safekeeping of fugitives from justice in this state, in accordance with the provisions of any act of congress. The officer holding any such fugitive in custody shall pay the sheriff county \$2 as a commitment fee, and ~~\$2.50 per day~~, a fee to be determined pursuant to section 641.03 for the use of the county, for his board.

Sec. 4. Minnesota Statutes 1974, Section 641.03, is amended to read:

641.03 [FEDERAL PRISONERS; FEES.] When any person is committed to any jail by any process issued under authority of the United States, the sheriff or jailer shall receive such person into custody, and safely keep him until discharged by due course of law, subject in all respects to the same liabilities and remedies as though committed under process issued under state authority. The United States shall pay to the county the minimum sum of \$5 per day for each prisoner so kept and boarded. Provided, that in any county of this state, the sheriff shall at the request of the county board of commissioners determine the average daily per capita cost for the food, clothing, medical and incidental expense for the care and maintenance of persons committed to the county jail for the preceding year. The amount found to be the average daily per capita cost of such committed persons shall be paid to the county by the United States for each prisoner so kept and boarded during the current year, ~~subject to such division of fees between the county and the sheriff as is now provided by law.~~"

Page 3, after line 4, insert:

“Sec. 6. Minnesota Statutes 1974, Section 641.13, is amended to read:

641.13 [PRISONERS FROM OTHER COUNTIES, BOARDING FEES.] When any prisoner is ordered confined in any county other than that in which his offense was committed, the sheriff of such other county shall keep him at the expense of the county sending him, and the sheriff of such other county board shall collect from the county sending him, for his board such an amount as is charged for local county prisoners for each day, or fractional day, and, in addition thereto, the county board of such the other county shall collect from the county sending such the prisoners, such sums as shall have been necessarily expended for clothing, bedding, and medical aid for such the prisoners. In addition thereto the county board of such the other county may collect from the county sending such the prisoners such sum as the county board may determine but not to exceed \$4 per day for other expenses incurred by such the other county in providing jail facilities for such the prisoners. The county board of the county from which such the prisoners are sent, at its first session after their commitment, shall authorize the county auditor to issue to the sheriff of the county where they are committed orders upon the county treasurer for the maintenance of such the prisoners while they remain in such jail.”

Renumber the sections accordingly

Page 3, line 5, strike “Sections 641.11, and” and insert “Section 641.11”

Page 3, line 6, strike “641.13, are” and insert “is”

Page 3, after line 6, insert a new section as follows:

“Sec. 8. [EFFECTIVE DATE.] *This act is effective on the day following final enactment.*”

Amend the title by striking it in its entirety and inserting:

“A bill for an act relating to counties; eliminating payment of certain fees to county sheriffs; requiring county boards to furnish board and other services for prisoners in county jails; amending Minnesota Statutes 1974, Sections 387.20, Subdivisions 5 and 6; 641.02; 641.03; 641.12; and 641.13; repealing Minnesota Statutes 1974, Section 641.11.”

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

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

S. F. No. 66: A bill for an act relating to game and fish; special permits for certain handicapped hunters; amending Minnesota Statutes 1971, Section 98.48, Subdivision 12.

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

Page 1, line 7, strike "1971" and insert "1974"

Amend the title as follows:

Line 2, after "fish;" strike "special" and insert "providing permanent"

Line 4, strike "1971" and insert "1974"

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

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

S. F. No. 285: A bill for an act relating to cooperatives; content of articles of incorporation; increasing the amount of authorized dividends on capital stock; amending Minnesota Statutes 1974, Section 308.06, Subdivision 2.

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

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

S. F. No. 198: A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns County.

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

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

S. F. No. 86: A bill for an act relating to cooperative associations; authorizing an association's board of directors to set aside part of its net income for the purpose of creating a capital reserve; amending Minnesota Statutes 1974, Section 308.12, Subdivision 1.

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

Mr. Moe from the Committee on Natural Resources and Agriculture, to which were referred the following appointments submitted by Governor Wendell R. Anderson for Senate confirmation as reported in the Journal for January 16, 1975.

LAND EXCHANGE REVIEW BOARD

Robert Falk
Joseph Mockford

MINNESOTA WATER RESOURCES BOARD

Richard Pfaffinger
Robert Starr

**MINNESOTA ENVIRONMENTAL QUALITY COUNCIL
CITIZENS ADVISORY COMMITTEE**

Frank Snowden
Gwen Schwartz

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

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

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

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

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

S. F. No. 50: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

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

Strike everything after the enacting clause and insert:

“Section 1. [POLICY AND PURPOSE.] The legislature finds that there is a direct relationship between maternal malnourishment during pregnancy and low birth weight of infants; between low birth weight and infant mortality or subsequent physical and emotional problems; and between severe malnutrition during early childhood and noncorrective damage to an individual's health and mental development. The legislature also finds that the incidence of malnourishment is disproportionately high among low income citizens of this state. The legislature declares that the public policy of Minnesota is to cultivate the health of children as its most valuable state resource. To that end, a program is established to provide nutritional supplements to needy pregnant and lactating women, infants, and children.

Sec. 2. [SHORT TITLE.] This act shall be known as the “maternal and child nutrition act of 1975”.

Sec. 3. [DEFINITIONS.] Subdivision 1. For purposes of this act, the terms defined in this section have the meanings given them.

Subd. 2. "Local health agency" means the county public health nursing service or any public or private nonprofit organization which enters into a contract with the board of health pursuant to this act.

Subd. 3. "Pregnant woman" means an individual determined by a licensed physician, midwife, or appropriately trained registered nurse to have one or more fetuses in utero.

Subd. 4. "Lactating woman" means any breast feeding individual who presents competent evidence of having been delivered of a surviving child within the 12 months immediately preceding the filing of an application for nutritional supplements.

Subd. 5. "Infant" means an individual under one year of age.

Subd. 6. "Child" means an individual one to four years of age.

Subd. 7. "Nutritional risk" means individuals with any of the following characteristics:

(a) For pregnant and lactating women:

(i) Known inadequate nutritional patterns;

(ii) Anemia;

(iii) History of prematurity or miscarriage; or

(iv) Inadequate patterns of growth (underweight, obesity, or stunting).

(b) For infants and children:

(i) Low birth weight;

(ii) Deficient patterns of growth;

(iii) Anemia; or

(iv) Known inadequate nutritional patterns.

Subd. 8. "Low birth weight" means a birth weight of less than 2,500 grams.

Subd. 9. "Nutritional supplements" means any food authorized by the board to be made available under this program.

Subd. 10. "Board" means the state board of health or its representative.

Sec. 4. [NUTRITIONAL SUPPLEMENT PROGRAM.] Subdivision 1. An eligible individual shall receive vouchers for the purchase of specified nutritional supplements in type and quantity approved by the board. Alternate forms of delivery may be developed by the board in appropriate cases.

Subd. 2. An individual shall be eligible for nutritional supplements who is not receiving a similar supplement under any federal, state, or local program and

(a) Is pregnant or lactating; or

(b) Is an infant or a child; and

(c) Is eligible for or a recipient of any form of public assistance authorized by law and is certified by the local health agency to be a nutritional risk; or

(d) Is certified by the local health agency to be a nutritional risk and without sufficient resources to purchase necessary nutritional supplements.

Subd. 3. Eligibility for nutritional supplements shall cease upon certification by the local health agency that the individual is no longer a nutritional risk, but in no case later than:

(a) For lactating women, twelve months after the birth of a surviving child; and

(b) For children, at four years of age.

Sec. 5. [STATE BOARD OF HEALTH; DUTIES, RESPONSIBILITIES.] The board of health shall:

(a) Develop a comprehensive state plan for the delivery of nutritional supplements to pregnant and lactating women, infants, and children;

(b) Contract with existing local public or private nonprofit organizations for the administration of the nutritional supplement program;

(c) Develop and implement a public education program promoting the provisions of this act, and provide for the delivery of individual and family nutrition education and counseling at project sites;

(d) Develop in cooperation with other agencies and vendors a uniform state voucher system for the delivery of nutritional supplements;

(e) Develop, analyze and evaluate the health aspects of the nutritional supplement program and establish nutritional guidelines for the program;

(f) Apply for and administer any available federal or private funds;

(g) Coordinate with the state and local public welfare agencies in identifying eligible individuals;

(h) Promulgate all rules and regulations necessary to carry out the provisions of this act;

(i) Report to the legislature by November 15 of every year on the expenditures and activities under this act of the state and local health agencies for the preceding fiscal year.

Sec. 6. [DEPARTMENT OF PUBLIC WELFARE.] The commissioner of public welfare shall cooperate with the board of health in identifying eligible individuals. The commissioner shall provide a procedure for the notification of pregnant or lactating women,

infants and children receiving any form of public assistance of eligibility for benefits under this program.

Sec. 7. [PROGRAM NOT A SUBSTITUTE OR REPLACEMENT.] This program shall not be a replacement or substitute for any other local, state, or federal program administered through the departments of health or public welfare, nor shall value of the nutritional supplements be included in eligibility determination for other assistance programs.

Sec. 8. [VOUCHERS.] Vouchers issued pursuant to this act shall be only for the purchase of those foods determined by the board to be desirable nutritional supplements for pregnant and lactating women, infants and children. These foods shall include, but not be limited to, iron fortified infant formula, vegetable or fruit juices, cereal, milk, cheese and eggs.

Sec. 9. [APPROPRIATION.] The sum of \$3,000,000 for the biennium beginning July 1, 1975 and ending June 30, 1977 is appropriated to the state board of health for purposes of this act. No more than ten percent of the appropriation shall be used annually by the board for purposes of administration of the program. Notwithstanding Minnesota Statutes, Section 16A.28 or any other law, the appropriation made by this section shall not lapse prior to June 30, 1977."

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

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

S. F. No. 220: A bill for an act relating to health; providing for loans to medical and osteopathy students enrolled in an accredited medical school within or without the state who agree to practice in rural communities within the state; amending Minnesota Statutes 1974, Section 147.30.

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. 143: A bill for an act relating to drivers licenses; permitting persons holding drivers licenses not including school bus endorsements to drive passenger automobiles used as school buses; amending Minnesota Statutes 1974, Section 171.321, Subdivision 1.

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

Page 1, line 16, strike everything after "a" and insert: "*vehicle with a seating capacity of ten or less persons used as a school bus but not outwardly equipped or identified as a school bus*"

Page 1, strike line 17.

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

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

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 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. 102: A bill for an act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services; amending Minnesota Statutes 1974, Section 360.015, Subdivision 7.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

S. F. No. 321: A bill for an act relating to the city of Brooklyn Park; validating actions and proceedings in connection with the initiation, construction, and financing of municipal improvements.

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

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

S. F. No. 167: A bill for an act relating to the regulation and control of junk yards adjacent to trunk highways; prohibiting unauthorized junk yards; amending Minnesota Statutes 1974, Section 161.242, Subdivision 3.

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

Page 2, line 3, strike "1972" and insert "1975"

Page 2, line 5, strike "three" and insert "four"

Further amend the title on line 3 by striking "prohibiting" and inserting "extending the deadline for removal or relocation of"

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

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

H. F. Nos. 7, 32, 87, 135 and 136 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 32 to the Committee on Education.

H. F. No. 7 to the Committee on Finance.

H. F. Nos. 87 and 135 to the Committee on Judiciary.

H. F. No. 136 to the Committee on Taxes and Tax Laws.

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. 182, 66, 285, 198, 86, 248, 220, 143, 321 and 167 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 75 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Gearty moved that the report from the Committee on Governmental Operations, reported February 10, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Gearty moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Gearty moved that in accordance with the report from the Committee on Governmental Operations, reported February 10, 1975, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE ZOOLOGICAL BOARD

Firmin Alexander, 1355 Lincoln Avenue, St. Paul, Ramsey County, appointed effective January 9, 1975, for a term expiring January 1, 1981.

John Tilton, 5320 Malibu Drive, Edina, Hennepin County, appointed effective January 9, 1975, for a term expiring January 1, 1981.

MINNESOTA HOUSING FINANCE AGENCY

Geraldine Germann, Route 1, Sandstone, Pine County, appointed effective May 17, 1974, for a term expiring January 1, 1977.

Reverend Lawrence C. Gavin, Church of Our Lady of Good Counsel, Wilmont, Nobles County, appointed effective May 17, 1974, for a term expiring January 1, 1976.

Demetrius G. Jelatis, 1161 Oak, Red Wing, Goodhue County, appointed effective August 9, 1974, for a term expiring January 1, 1977.

COMMISSIONER OF PUBLIC SAFETY

Edward G. Novak, 1424 Arundel Street, St. Paul, Ramsey County, appointed effective June 10, 1974, for a term expiring December 31, 1977.

COMMISSIONER OF THE STATE DEPARTMENT OF HUMAN RIGHTS

William L. Wilson, 168 North Lexington Parkway, St. Paul, Ramsey County, appointed effective January 6, 1975, for a term expiring January 6, 1979.

CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION

Mrs. Marjorie Vogel, 999 Kingman, Red Wing, Goodhue County, appointed effective July 5, 1974, for a term expiring July 1, 1975.

CRIME VICTIMS REPARATIONS BOARD

Rod Boyd, 16 Elm Street, Farmington, Dakota County, appointed effective May 10, 1974, for a term expiring May 10, 1978.

Joe E. Thompson, Box 913, Willmar, Kandiyohi County, appointed effective May 10, 1974, for a term expiring May 10, 1980.

Dr. William Kosiak, 5512 Elliot Avenue South, Minneapolis, Hennepin County, appointed effective May 10, 1974, for a term expiring May 10, 1976.

COMMISSIONER OF THE IRON RANGE RESOURCES AND REHABILITATION COMMISSION

Frank Ongaro, 910 E. Howard, Hibbing, St. Louis County, appointed effective January 13, 1975, for a term expiring January 1, 1979.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that S. F. No. 95 be withdrawn from the Committee on Taxes and Tax Laws and returned to its author. The motion prevailed.

Mr. Spear moved that S. F. No. 90, No. 4 on General Orders be stricken and re-referred to the Committee on Finance. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 128: A bill for an act relating to motor vehicles; manufacture of motor vehicle license number plates; authorizing the commissioner of public safety to establish quality specifications of plates with the advice of law enforcement organizations; amending Minnesota Statutes 1974, Section 168.381.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 208: A bill for an act relating to the city of Bigelow; authorizing the issuance of general obligation bonds authorized by the voters without including the bonds in the computation of net debt.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bang	Blatz	Brown	Coleman
Arnold	Berg	Borden	Chenoweth	Conzemius
Ashbach	Bernhagen	Brataas	Chmielewski	Davies

Doty	Jensen	McCutcheon	O'Neill	Solon
Dunn	Josefson	Merriam	Patton	Spear
Fitzsimons	Keefe, J.	Milton	Perpich, A. J.	Stassen
Frederick	Keefe, S.	Moe	Perpich, G.	Stokowski
Garty	Kirchner	Nelson	Pillsbury	Stumpf
Hansen, Baldy	Kleinbaum	North	Purfeerst	Tennessee
Hansen, Mel	Kowalczyk	Olhoff	Renneke	Ueland
Hanson, R.	Larson	Olson, A. G.	Schmitz	Wegener
Hughes	Laufenburger	Olson, H. D.	Schrom	Willet
Humphrey	Lewis	Olson, J. L.	Sillers	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. No. 59 which the committee reports progress, subject to the following motions:

Mr. Keefe, S. moved to amend S. F. No. 59 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1974, Section 471.87, is amended to read:

471.87 [PUBLIC OFFICERS, INTEREST IN CONTRACT; PENALTY.] Except as authorized in section 471.88, a public officer who is authorized to take part in any manner in making any sale, lease, or contract in his official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom. *An employee of a company which has a financial interest in a sale, lease, or contract shall not be deemed to have a personal financial interest in that sale, lease, or contract by virtue of his employment unless his compensation is in some manner affected by the sale, lease, or contract.* Every public officer who violates this provision is guilty of a gross misdemeanor."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, strike "Section" and insert "Sections 471.87; and"

Mr. Jensen moved that S. F. No. 59 be returned to the Committee on Labor and Commerce.

The question being taken on the adoption of the motion of Mr. Jensen,

And the roll being called, there were yeas 31 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Ogdahl	Sillers
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Frederick	Kowalczyk	O'Neill	Ueland
Blatz	Hansen, Mel	Larson	Patton	
Brataas	Hansen, R.	Moe	Pillsbury	
Brown	Jensen	Nelson	Purfeerst	
Doty	Josefson	North	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Baldy	McCutcheon	Perpich, G.	Stumpf
Arnold	Hughes	Merriam	Schaaf	Tennessen
Borden	Humphrey	Milton	Schmitz	Wegener
Coleman	Keefe, S.	Olhoft	Schrom	Willet
Conzemius	Kleinbaum	Olson, A. G.	Solon	
Davies	Laufenburger	Olson, H. D.	Spear	
Gearty	Lewis	Perpich, A. J.	Stokowski	

The motion did not prevail.

The question recurred on the Keefe, S. amendment. The motion prevailed. So the amendment was adopted.

And then, on motion of Mr. Ashbach, 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, February 17, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate