

FIFTEENTH DAY

St. Paul, Minnesota, Thursday, February 20, 1975

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Norman State.

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

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

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

Mrs. Brataas and Messrs. Borden and Solon were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Chmielewski introduced—

S. F. No. 489: A bill for an act relating to workmen's compensation; prohibiting intervention by the employee's insurer if the intervention would delay a settlement; amending Minnesota Statutes 1974, Section 176.361.

Referred to the Committee on Labor and Commerce.

Mr. Stassen introduced—

S. F. No. 490: A bill for an act relating to the city of Hastings; providing for the sale price of certain land authorized to be conveyed to the city.

Referred to the Committee on Local Government.

Messrs. Kirchner, Ogdahl and Gearty introduced—

S. F. No. 491: A resolution congratulating Seth G. Huntington on his success in the United States coin design competition and on his other artistic achievements.

Referred to the Committee on Rules and Administration.

Messrs. Stassen, Gearty and Keefe, J. introduced—

S. F. No. 492: A bill for an act relating to taxation; providing for the treatment of college educational expenses for income tax purposes; amending Minnesota Statutes 1974, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Berg, Conzemius and Olson, J. L. introduced—

S. F. No. 493: A bill for an act relating to taxation; defining adjusted gross income for 1974 to include changes in federal law relating to retirement deductions.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, J.; Larson and Jensen introduced—

S. F. No. 494: A bill for an act relating to elections; providing that names of legislative candidates appear on the local ballot; amending Minnesota Statutes 1974, Sections 203.28, Subdivision 1; and 203.29, Subdivision 1.

Referred to the Committee on Transportation and General Legislation.

Messrs. Keefe, J.; Wegener and Larson introduced—

S. F. No. 495: A bill for an act relating to intoxicating liquor; actions for damages arising from illegal sale or furnishing; amending Minnesota Statutes 1974, Section 340.95.

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

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

S. F. No. 496: A bill for an act relating to motor fuel; requiring display of motor fuel retail prices and octane ratings on a sign so the prices and ratings are visible from adjacent highways, roads or streets; amending Minnesota Statutes 1974, Section 325.77, Subdivision 3.

Referred to the Committee on Labor and Commerce.

Messrs. Bang and Ogdahl introduced—

S. F. No. 497: A bill for an act relating to retirement; authorized expenditures of firemen's relief associations; amending Minnesota Statutes 1974, Section 424.31.

Referred to the Committee on Governmental Operations.

Messrs. Lewis and Moe introduced—

S. F. No. 498: A bill for an act relating to education; termination of a teacher's contract after probationary period; providing a June 1 date for resignation of teachers; amending Minnesota Statutes 1974, Section 125.12, Subdivision 4.

Referred to the Committee on Education.

Messrs. Laufenburger, Bang and Arnold introduced—

S. F. No. 499: A bill for an act relating to insurance; authorizing an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1974, Section 65B.17.

Referred to the Committee on Labor and Commerce.

Messrs. Solon, Doty and Keefe, S. introduced—

S. F. No. 500: A bill for an act relating to commerce; requiring gasoline stations to post the price of gasoline in a highly visible manner; amending Minnesota Statutes 1974, Section 325.77, Subdivision 3.

Referred to the Committee on Labor and Commerce.

Messrs. Schrom; Olson, J. L. and Chmielewski introduced—

S. F. No. 501: A bill for an act relating to employments licensed by the state; architects, engineers and surveyors; raising the minimum public building cost for which services of a licensed architect, engineer or land surveyor are required; amending Minnesota Statutes 1974, Section 326.03, Subdivision 2.

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

Messrs. Keefe, J.; Tennessen and Stassen introduced—

S. F. No. 502: A bill for an act relating to taxation; providing an income tax credit for certain expenditures for home maintenance; appropriating money; amending Minnesota Statutes 1974, Sections 290.984; 290.986; 290.988, Subdivision 1; 290.989; and Chapter 290, by adding sections.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stumpf, Merriam and Lewis introduced—

S. F. No. 503: A bill for an act relating to education; providing for a reduction of state aid to school districts permitting violation of state or federal laws prohibiting discrimination; directing the filing of certificates of compliance with state and federal law; amending Minnesota Statutes 1974, Section 124.15, Subdivisions 2 and 3.

Referred to the Committee on Education.

Messrs. Tennessen, Kirchner and Coleman introduced—

S. F. No. 504: A bill for an act relating to health; authorizing the organization and operation of health maintenance organizations as business corporations; amending Minnesota Statutes 1974, Sections 62D.02, Subdivision 4; 62D.03, Subdivision 1; 62D.05, Subdivision 1; 62D.12, Subdivision 9; and 62D.27, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Tennessen, Kirchner and Gearty introduced—

S. F. No. 505: A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Judiciary.

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

S. F. No. 506: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Sections 5 and 9; permitting the use of the highway user tax distribution fund for pollution control and other transportation purposes.

Referred to the Committee on Transportation and General Legislation.

Messrs. Hansen, Mel; Jensen and Kowalczyk introduced—

S. F. No. 507: A bill for an act relating to taxation; exempting federally assisted meals for senior citizens from the sales tax; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Patton, Jensen and Berg introduced—

S. F. No. 508: A bill for an act relating to taxation; eliminating the tax on health insurance premiums; amending Minnesota Statutes 1974, Section 60A.15, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Patton and Berg introduced—

S. F. No. 509: A bill for an act relating to the legislature; prescribing the period for its meeting in regular session; amending Minnesota Statutes 1974, Section 3.011.

Referred to the Committee on Rules and Administration.

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

S. F. No. 510: A bill for an act relating to the metropolitan government; providing for election of council members and that the executive director shall be the principal executive officer and administrator of the council; amending Minnesota Statutes 1974, Section 473B.02, Subdivisions 2, 4, 5, and 6; and by adding subdivisions.

Referred to the Committee on Metropolitan and Urban Affairs.

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

S. F. No. 511: A bill for an act relating to safety responsibility; furnishing of abstracts of drivers' operating records; amending Minnesota Statutes 1974, Section 170.23.

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

Messrs. Bang and Ogdahl introduced—

S. F. No. 512: A bill for an act relating to the city of Edina; firemen's retirement, disability, and survivors benefits; amending Laws 1965, Chapter 592, Sections 1, Subdivision 1, as amended; and 3 and 4, as added.

Referred to the Committee on Governmental Operations.

Messrs. Kowalczyk, Lewis and Stassen introduced—

S. F. No. 513: A bill for an act relating to real estate; restricting the filing and recording of certain conveyances; amending Minnesota Statutes 1974, Section 462.358, Subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Knutson, Kirchner and Konzemius introduced—

S. F. No. 514: A bill for an act relating to human services; appropriating money; amending Minnesota Statutes 1974, Sections 402.02, Subdivisions 1 and 2, and by adding a subdivision; 402.04, Subdivision 1; 402.05; 402.06; and 402.08.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S. and Spear introduced—

S. F. No. 515: A bill for an act relating to highways; requiring the conveyance to the city of Minneapolis of certain lands within the city acquired by the state for the construction and improvement of trunk highway route marked No. 55.

Referred to the Committee on Transportation and General Legislation.

Messrs. Jensen, McCutcheon and Keefe, J. introduced—

S. F. No. 516: A bill for an act relating to highway traffic regulations; violations; creating a rebuttable presumption that a motor vehicle involved in a violation was driven by the owner when the driver is not otherwise identified.

Referred to the Committee on Judiciary.

Messrs. Patton, Moe and Ueland introduced—

S. F. No. 517: A bill for an act relating to education; changing the date of termination of a teacher's contract after probationary period; changing the date of teacher's resignation; amending Minnesota Statutes 1974, Section 125.12, Subdivision 4.

Referred to the Committee on Education.

Messrs. Hansen, Baldy; Schrom and Larson introduced—

S. F. No. 518: A bill for an act relating to capital punishment; specifying the acts constituting capital felonies; providing a separate proceeding to determine sentence in capital cases; amending Minnesota Statutes 1974, Sections 243.05; 609.10; 609.185; 609.19; 609.195; and Chapter 609, by adding sections.

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

Messrs. Hansen, Baldy; Schrom and Larson introduced—

S. F. No. 519: A bill for an act relating to capital punishment; specifying the acts constituting capital felonies; providing for mandatory death sentences for capital felonies; amending Minnesota Statutes 1974, Sections 243.05; 609.10; 609.185; 609.19; 609.195; and Chapter 609, by adding sections.

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

Mr. Chmielewski introduced—

S. F. No. 520: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1974, Section 169.14, Subdivision 5, and by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

Mr. Chmielewski introduced—

S. F. No. 521: A bill for an act relating to workmen's compensation; intervention by insurer not to delay approval of a settlement; amending Minnesota Statutes 1974, Chapter 176, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Dunn, Anderson and Fitzsimons introduced—

S. F. No. 522: A bill for an act relating to counties; authorizing a tax levy for capital facilities in certain counties.

Referred to the Committee on Local Government.

Messrs. Dunn; Olson, A. G. and Larson introduced—

S. F. No. 523: A bill for an act relating to the joint exercise of powers between governmental units; providing for the inclusion of instrumentalities of governmental units; providing for the negotiation of the costs of services or functions as part of the agreement; amending Minnesota Statutes 1974, Section 471.59, Subdivisions 1 and 8.

Referred to the Committee on Local Government.

Mr. Milton introduced—

S. F. No. 524: A bill for an act relating to health; amending the definition of review organization; amending Minnesota Statutes 1974, Section 145.61, Subdivision 5.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Borden, Ogdahl and Coleman introduced—

S. F. No. 525: A bill for an act relating to the legislature; establishing the Minnesota job and business climate interim study commission; appropriating money.

Referred to the Committee on Labor and Commerce.

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

S. F. No. 526: A bill for an act relating to education; providing for pilot preschool assessment programs; appropriating money.

Referred to the Committee on Education.

Messrs. Laufenburger, Fitzsimons and Hansen, Baldy introduced—

S. F. No. 527: A bill for an act relating to holidays; Memorial Day to be observed on May 30; amending Minnesota Statutes 1974, Sections 465.50 and 645.44, Subdivision 5.

Referred to the Committee on Transportation and General Legislation.

Messrs. Kowalczyk, Davies and Hansen, Mel introduced—

S. F. No. 528: A bill for an act relating to health; prohibiting the use of collection agencies to collect certain debts for health services; amending Minnesota Statutes 1974, Section 332.37; and Chapter 332, by adding a section.

Referred to the Committee on Labor and Commerce.

Mr. Kowalczyk introduced—

S. F. No. 529: A bill for an act relating to the city of Brooklyn Park; firemen's relief association benefits.

Referred to the Committee on Governmental Operations.

Mr. Anderson introduced—

S. F. No. 530: A bill for an act relating to state lands; directing condemnation and conveyance of a certain parcel of school trust fund land in Anoka county to the city of Bethel; appropriating money.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, G. introduced—

S. F. No. 531: A bill for an act relating to the city of Chisholm; increasing retirement annuities of certain retired policemen and firemen.

Referred to the Committee on Governmental Operations.

Messrs. Moe, O'Neill and Anderson introduced—

S. F. No. 532: A bill for an act creating a legislative commission to study the concept of power equalization financing in relation to school districts; providing its powers and duties; appropriating money.

Referred to the Committee on Education.

Messrs. Merriam, Renneke and Keefe, S. introduced—

S. F. No. 533: A bill for an act relating to employment services; re-establishment of contingent fund, providing for its funding; appropriating Reed Act federal moneys; amending Minnesota Statutes 1974, Sections 268.15, Subdivision 3; and 268.16, Subdivisions 1 and 2.

Referred to the Committee on Labor and Commerce.

Messrs. Keefe, S. and Spear introduced—

S. F. No. 534: A bill for an act relating to taxation; securities; imposing a tax on transfers of securities; appropriating money; providing penalties.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S. and Schrom introduced—

S. F. No. 535: A bill for an act relating to education; teachers; termination of contract after probationary period; providing time for consideration of contract; amending Minnesota Statutes 1974 Section 125.12, Subdivision 4.

Referred to the Committee on Education.

Messrs. Milton, Olhoft and North introduced—

S. F. No. 536: A bill for an act relating to the operation of government; including the legislature and its committees in the open meeting law; amending Minnesota Statutes 1974, Section 471.705.

Referred to the Committee on Rules and Administration.

Messrs. McCutcheon, Lewis and Ogdahl introduced—

S. F. No. 537: A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; and appropriating money.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 538: A bill for an act relating to highways; reapportion-

ing the five percent of the net highway user tax distribution fund set aside pursuant to Article XIV, Section 5 of the Constitution; providing that a portion thereof apportioned to the county state-aid highway fund be allocated to towns for town road purposes; appropriating money; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 161.085.

Referred to the Committee on Transportation and General Legislation.

Messrs. Conzemius, Ashbach and Davies introduced—

S. F. No. 539: A bill for an act relating to elections; requiring that vacancies in the United States Senate be filled by election; amending Minnesota Statutes 1974, Section 203.44; repealing Minnesota Statutes 1974, Section 203.56.

Referred to the Committee on Transportation and General Legislation.

Messrs. Milton, Kirchner and Willet introduced—

S. F. No. 540: A bill for an act relating to health; community health services; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, A. G.; Willet and Borden introduced—

S. F. No. 541: A bill for an act relating to public welfare; providing for payment by the state of certain expenses of county welfare boards; appropriating money; amending Minnesota Statutes 1974, Sections 256.80; 256B.20; 256D.03, Subdivision 2; and 261.063; and Chapter 393, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 321.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 17, 1975

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 64: A bill for an act relating to veterans affairs, providing additional money for veterans bonus payments; appropriating money.

Senate File No. 64 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 17, 1975

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 64 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 64 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 4, 31, 67 and 109.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 17, 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. 4: A bill for an act relating to human rights; extending protection to disabled persons using public services and

public accommodations; amending Minnesota Statutes 1974, Section 363.03, Subdivisions 3 and 4, and by adding a subdivision.

H. F. No. 31: A bill for an act relating to education; more exactly defining the conditions for the reception of certain transportation aids; amending Minnesota Statutes 1974, Sections 123.77, Subdivision 2; and 123.78, Subdivision 1a.

H. F. No. 67: A bill for an act relating to handicapped persons; providing an interpreter in all proceedings.

H. F. No. 109: A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall serve at the pleasure of the governor; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 16.01; 16A.01, Subdivision 2; 17.01; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 161.03, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06; 241.01, Subdivision 1; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivision 1; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1.

REPORTS OF COMMITTEES

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

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

S. F. No. 287: A bill for an act relating to natural resources; changing the name of Minnesota Memorial Hardwood State Forest; prescribing certain duties for the revisor of statutes.

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. 194: A bill for an act relating to natural resources; canoe and boating routes; land acquisition therefor; amending Minnesota Statutes 1974, Section 85.32, Subdivision 2.

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

Page 1, line 12, strike "*other lawful means*" and insert "*easement*"

Page 1, line 12, after "sites" insert a comma

Page 1, line 15, after "1" insert "*, providing that such parcel of land acquired shall not exceed 40 acres unless specifically authorized by the Legislature* "

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1974, Section 85.32, Subdivision 3, is amended to read:

Subd. 3. [DEDICATION, APPLICATION OF STATUTE.] ~~Portages, canoe routes, boating routes, and camp sites~~ *Areas acquired by easement or lease or areas designated and marked under this section shall not be subject to the provisions of section 160.06."*

Amend the title as follows:

Page 1, line 2, after the semicolon insert "authorizing the commissioner of natural resources to acquire land along"

Page 1, line 3, strike "land acquisition therefor;"

Page 1, line 5, strike "Subdivision 2" and insert "Subdivisions 2 and 3"

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. 212: A bill for an act relating to waters and water safety; requiring scuba divers to place flags; amending Minnesota Statutes 1974, Chapter 361, by adding a section.

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

Page 1, line 10, after "areas" insert "*pursuant to Minnesota Statutes 1974, Section 361.08*"

Page 2, line 11, strike "*three feet*" and insert "*thirty inches*"

Page 2, after line 18, insert:

"(i) If at the discretion of the diver it would be safer and more visible, the flag may be displayed on a watercraft. When the flag is displayed on the watercraft, the craft must be at anchor or, if not at anchor, attended by a diver or a person appointed by the diver to tend the craft. Only watercraft displaying an official diver's flag are authorized in the diving area."

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

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

S. F. No. 329: A bill for an act relating to the city of Wykoff; authorizing the city to issue its general obligation bonds for acquisition and betterment of a fire station and municipal building.

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

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

S. F. No. 216: A bill for an act relating to towns; providing that the amount of the treasurer's bond shall be determined by the board of supervisors; amending Minnesota Statutes 1974, Section 367.15.

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

Page 1, line 9, strike "person elected to"

Page 1, line 10, strike "the office of"

Page 1, after line 17, insert:

"Sec. 2. This act is effective on the day following final enactment."

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

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

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; and 388.18, Subdivision 3.

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

Page 2, line 7, before "shall" insert *"other than members of the board of county commissioners"*

Page 2, line 9, after "375.47" strike the comma and insert a period.

Page 2, line 9, strike *"except that"*

Page 2, line 13, strike *"shall not receive any"* and insert *"may receive a"*

Page 2, line 13, strike *"as"*

Page 2, line 14, strike *"compensation pursuant to this section. but"* and insert *"pursuant to section 375.055, subdivision 1, and"*

Page 3, line 2, after the stricken word "day" insert *"a per diem pursuant to section 375.055, subdivision 1"*

Page 3, line 5, restore stricken language

Page 3, line 21, strike "shall" and insert "may"

Page 5, line 19, strike "shall" and insert "*may be paid a per diem pursuant to section 375.055, subdivision 1, and reimbursed for their necessary expenses, and may*"

Page 7, line 11, strike "shall" and insert "may"

Page 7, line 15, before "mileage" insert "*a per diem pursuant to section 375.055, subdivision 1 and*"

Page 7, line 29, strike "at the rate of" and insert "*reimbursement in accordance with section 43.328*"

Page 7, line 30, strike "seven and one half cents per mile"

Page 8, line 16, before the period insert "*but may be paid a per diem pursuant to section 375.055, subdivision 1, and in addition thereto their necessary expenses, including mileage in accordance with section 43.328*"

Page 9, line 26, strike "344.19" and insert "*375.055, subdivision 1*"

Page 10, line 24, after "St. Louis," insert "*may be paid a per diem pursuant to section 375.055, subdivision 1, for each day*"

Page 10, line 28, strike "43.329" and insert "43.328"

Page 11, line 3, strike "43.329" and insert "43.328"

Page 11, line 5, strike "shall" and insert "may"

Page 13, line 11, strike "shall be entitled to reimbursement" and insert "*may be reimbursed*"

Page 14, line 11, strike "shall" and insert "may"

Page 15, line 6, strike "and"

Page 15, line 6, after the second "Subdivision 3" strike the comma and insert "*; and 485.018, Subdivision 3*"

Page 15, line 8, strike "repeal of"

Page 15, line 9, strike "375.43" and insert "17"

Amend the title as follows:

Page 1, line 13, strike "and"

Page 1, line 14, after "3" and before the period, insert "*; and 485.018, Subdivision 3*"

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

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

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.

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

Page 1, line 11, strike "IN LIEU OF WHEELAGE TAX IF"

Page 1, line 12, strike "INSUFFICIENT OR INVALIDATED"

Page 1, line 18, after "tax" insert "*not to exceed five mills*"

Page 2, line 1, strike "Such"

Page 2, line 1, strike "amount shall be determined by the commission"

Page 2, line 2, strike "on the basis of estimates"

Page 2, line 4, strike the period

Page 2, line 22, before "provided" insert "*upon like procedure and subject to the provisions and limitations as*"

Page 2, line 24, strike "*Minnesota Statutes 1974,*"

Page 2, line 24, strike "412.61" and insert "412.261"

Page 2, after line 24, insert a new section as follows:

"Sec. 2. Laws 1969, Chapter 1134, is amended by adding a section to read:

Sec. 12A. The provisions of section 471.345 shall not apply to the purchase or acquisition of buses by the commission in calendar year 1975, provided the buses are ordered by May 1, 1975."

Renumber the sections accordingly

Page 2, line 30, before the period insert "*except that repeal of the wheelage tax shall not be effective as to Stearns County until December 31, 1975*"

Amend the title as follows:

Page 1, line 5, before "amending", insert "excepting the commission from competitive bidding requirements for certain purchases in 1975;"

Page 1, line 6, before "repealing", insert "and by adding a section;"

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

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 199: A bill for an act relating to commerce; authorizing state banks to acquire and lease personal property to customers; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

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

Page 2, line 10, strike "*five*" and insert "*12*"

Page 2, line 11, after "*years*" insert "*, 32 days*"

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

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 226: A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

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

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 311: A bill for an act relating to unemployment compensation; allowing applicants to receive benefits in weeks they receive vacation allowance or holiday pay; amending Minnesota Statutes 1974, Section 268.08, Subdivision 3.

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

Page 1, after line 7, add:

"Section 1. Minnesota Statutes 1974, Section 268.07, Subdivision 2, is amended to read:

Subd. 2. [WEEKLY BENEFIT AMOUNT AND DURATION.] If the commissioner finds that an individual has earned 18, or more, credit weeks, and \$540 or more in wage credits, within the base period of employment in insured work with one or more employers, benefits shall be payable to such individual during his benefit year as follows:

(1) Weekly benefit amount shall be equal to 50 percent of the average weekly wage of such individual, computed to the nearest whole dollar, subject to a maximum of \$85 per week.

(2) An individual's maximum amount of regular benefits payable in a benefit year shall not exceed the lesser of (a) 26 times his weekly benefit amount or (b) 70 percent of the number of credit weeks earned by such an individual computed to the nearest whole week times his weekly benefit amount.

(3) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of his earnings *including holiday pay*, payable to him with respect to such week which is in excess of \$25. Such benefit, if not a multiple of \$1, shall be computed to the next higher multiple of \$1.

(4) The provisions of this subdivision shall apply to claims for benefits which establish a benefit year subsequent to June 30, 1973.”

Page 2, line 1, reinstate “vacation allowance”

Page 2, line 1, reinstate “; or”

Page 2, line 2, reinstate the old language

Page 2, line 6, strike the new language and reinstate the old language

Renumber sections in sequence

Amend the title as follows:

Line 4, strike “vacation allowance or”

Line 5, strike “Section” and insert “Sections 268.07, Subdivision 2; and”

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. 85: A bill for an act establishing an avian disease research center at the University of Minnesota; appropriating money.

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

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

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

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. 277: A bill for an act relating to elections; registration of voters; requiring corroborating identification; amending Minnesota Statutes 1974, Section 201.061, Subdivision 3.

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. 304: A bill for an act authorizing the sale and con-

veyance of the elevated water storage tank at the Anoka State Hospital and related easements to the city of Anoka.

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

Mr. Coleman from the Committee on Rules and Administration, makes the following report:

That the temporary rules of the Senate appearing in the Journal of the first day, be amended as follows:

Rule 54:

After Education—strike “17” and insert “18”

After Labor and Commerce—strike “15” and insert “17”

Report adopted.

February 11, 1976

The Honorable Alec G. Olson
President of the Senate

Dear Sir:

On February 11, 1975 the Committee on Committees of the Senate met and by appropriate action made the following appointment:

Pursuant to Minnesota Statutes 1974:

Sec. 3.922—Indian Affairs Commission

Mr. Hanson, R. to replace Mr. Wegener

Respectfully submitted,
Jack Davies, Chairman
Committee on Committees

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

H. F. Nos. 145 and 173 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:

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.
145	86				
173	285				

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 were referred

H. F. Nos. 4, 31, 67 and 109 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. 31 to the Committee on Education.

H. F. No. 109 to the Committee on Governmental Operations.

H. F. Nos. 4 and 67 to the Committee on Judiciary.

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. 287, 194, 212, 329, 216, 211, 264, 199, 226, 311, 421, 277 and 304 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 145 and 173 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Moe moved that the report from the Committee on Natural Resources and Agriculture, reported February 13, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

Mr. Moe moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 13, 1975, the Senate, having advised, do now consent to and confirm the appointments of:

LAND EXCHANGE REVIEW BOARD

Robert Falk, Tenstrike, Beltrami County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

Joseph Mockford, Blackduck, Beltrami County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

MINNESOTA WATER RESOURCES BOARD

Richard Pfaffinger, 115 West Ninth, Blue Earth, Faribault County, appointed effective October 5, 1974, for a term expiring October 5, 1980.

Robert Starr, Rural Route 2, Redwood Falls, Redwood County, appointed effective November 26, 1974, for a term expiring October 5, 1977.

**MINNESOTA ENVIRONMENTAL QUALITY COUNCIL CITIZENS
ADVISORY COMMITTEE**

Frank Snowden, 1404 East Minnehaha Parkway, Minneapolis, Hennepin County, appointed effective January 9, 1975, for a term expiring December 31, 1979.

Gwen Schwartz, 516 Hillcrest, St. Cloud, Stearns County, appointed effective January 9, 1975, for a term expiring December 31, 1979.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Margaret Waldorf, Clerk Typist I, effective February 17, 1975.

Rev. Norman L. State, Chaplain, effective February 17, 1975.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman moved that in accordance with the report from the Committee on Rules and Administration adopted by the Senate February 20, 1975, that the temporary Rules of the Senate be amended as follows:

Rule 54:

After "Education" strike "17" and insert "18"

After "Labor and Commerce" strike "15" and insert "17"

The motion prevailed. So the rule was amended.

Mr. Coleman moved to amend Senate Resolution No. 6, a Sen.

ate resolution relating to standing committees, as shown in the Journal for the first day, as follows:

EDUCATION (~~17~~) (18)

Add: Mrs. Brataas

LABOR AND COMMERCE (~~15~~) (17)

Add: Mrs. Brataas, Mr. Borden

Mr. Coleman moved the adoption of the amendment. The motion prevailed. So the amendment was adopted.

Mr. Frederick moved that the name of Mr. Laufenburger be added as co-author to S. F. No. 488. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 7, 103, 182, 220, 143, 167 and H. F. No. 75 which the committee recommends to pass.

S. F. No. 63 which the committee recommends be re-referred to the Committee on Finance.

S. F. No. 59 which the committee reports progress, after the following motion:

The question being taken on the committee recommendation to pass S. F. No. 59,

And the roll being called, there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Perpich, G.	Stumpf
Chenoweth	Hansen, Baldy	McCutcheon	Schaaf	Tennessee
Coleman	Hughes	Merriam	Solon	
Conzemius	Humphrey	Olhoff	Spear	
Doty	Keefe, S.	Perpich, A. J.	Stokowski	

Those who voted in the negative were:

Ashbach	Fitzsimons	Knutson	Olson, A. G.	Schmitz
Bang	Frederick	Kowalczyk	Olson, H. D.	Sillers
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Ueland
Blatz	Jensen	Milton	Patton	
Brown	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Purfeerst	
Dunn	Kirchner	Ogdahl	Renneke	

The committee then progressed S. F. No. 59.

S. F. No. 66 which the committee reports progress, subject to the following motion:

Mr. Perpich, G. moved to amend S. F. No. 66 as follows:

Page 1, strike line 12

Page 1, line 13, strike "paraplegics or otherwise" and insert "persons"

Page 1, line 13, strike "with or"

Page 1, strike line 14

Page 1, line 15, strike "fields or woods"

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 66.

And then, on motion of Mr. Bang, 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 24, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate