

FIFTY-EIGHTH DAY

St. Paul, Minnesota, Tuesday, January 27, 1976

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

Prayer was offered by the Chaplain, Father Nicholas J. Finn.

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

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

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. Kirchner; Laufenburger; Perpich, A. J. and Perpich, G. were excused from the Session of today.

REPORTS FILED DURING THE INTERIM WITH THE SECRETARY OF THE SENATE

Various reports were filed during the 1975-76 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Mayo Medical School, Final Report, January 1, 1976; State Court Administrator, Eleventh Annual Report, 1974; Public Employees Retirement Association, Actuarial Valuation Report for the fiscal year ended June 30, 1975; Metropolitan Transit Commission, Multi-Occupancy Vehicle Usage in the Metropolitan Area, November, 1975; State Planning Agency, State Demographer, Minnesota Population Projections 1970-2000; Department of Public Welfare, Plan for ceasing operations at Hastings State Hospital and further de-

veloping Community Services, January 5, 1976; Metropolitan Transit Commission Budget, Calendar, 1976; Proposed 1976 Budget for the Metropolitan Waste Control Commission, January 1 through December 31, 1976; Commerce Commission, 1975 Annual Report; Department of Administration, Minnesota Data Security and Privacy Act, January 12, 1976; Metropolitan Transit Commission, Bus Service Expansion Program, Progress Report, January, 1976; Metropolitan Council, 1975 Annual Report.

ELECTION OF OFFICERS

Mr. Moe nominated Steven R. Goff for Enrolling Clerk.

The question being taken on the above nomination,

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

Those who voted for Mr. Goff were:

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

The above named officer, having received the majority vote of all members voting, was duly elected Enrolling Clerk.

OATH OF OFFICE

The Enrolling Clerk advanced to the desk and subscribed to the oath of office as administered by the President.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

June 2, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Gerald Christenson, 127 - 16th Avenue N.W., New Brighton, Ramsey County, has been appointed by me as Commissioner of the Department of Finance, effective June 1, 1975, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Governmental Operations.

June 25, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter L. Gove, 339 East 43rd Street, Minneapolis, Hennepin County, has been appointed by me as Executive Director of the Pollution Control Agency, effective June 25, 1975, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Natural Resources and Agriculture.

July 1, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Erling O. Johnson, 832 Eastwood Lane, Anoka, Anoka County, has been appointed by me to the State Board of Education, effective July 1, 1975, for a term expiring July 1, 1981.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Education.

July 2, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas J. Simmons, 412 South 11th, Olivia, Renville County, has been appointed by me to the Municipal Commission, effective June 30, 1975, for a term expiring June 30, 1981.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Governmental Operations.

July 2, 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:

Gordon Rosenmeier, 606 Southeast 1st Street, Little Falls, Morrison County, has been appointed by me to the Capitol Area Architectural and Planning Commission, effective July 1, 1975, for a term expiring July 1, 1979.

Mrs. Solveig Premack, 5226 Stevens Avenue, Minneapolis, Hennepin County, has been appointed by me to the Capitol Area Architectural and Planning Commission, effective July 1, 1975, for a term expiring July 1, 1979.

Mrs. Marjorie Vogel, 999 Kingman, Red Wing, Goodhue County, has been appointed by me to the Capitol Area Architectural and Planning Commission, effective July 1, 1975, for a term expiring July 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Governmental Operations.

July 2, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Bernard Carlson, 1216 Selmser Avenue, Cloquet, Pine County, has been appointed by me to the Minnesota Housing Finance Agency, effective July 2, 1975, for a term expiring January 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Governmental Operations.

July 2, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

James Pomush, 7 West Golden Lake Road, Circle Pines, Anoka County, has been appointed by me as Commissioner of the Work-

men's Compensation Commission, effective July 1, 1975, for a term expiring July 1, 1981.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Labor and Commerce.

July 2, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Earl B. Gustafson, 700 1st National Bank Building, Duluth, St. Louis County, has been appointed by me to the Minnesota Tax Court, effective July 1, 1975, for a term expiring March 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Taxes and Tax Laws.

September 10, 1975

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

John P. Millhone, 761 Lincoln Avenue, St. Paul, Ramsey County, has been appointed by me as Director of the Minnesota Energy Agency, effective September 1, 1975, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Referred to the Committee on Natural Resources and Agriculture.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S. F. No. 1783: A bill for an act relating to obscenity; regulating the dissemination of sexual materials to young persons; prohibiting the public display of sexual materials; providing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding sec-

tions; repealing Minnesota Statutes 1974, Sections 617.241; 617.-243; 617.26; 617.27; 617.291; 617.292; 617.293; 617.294; 617.295; 617.296; and 617.297.

Referred to the Committee on Judiciary.

Mr. Josefson introduced—

S. F. No. 1784: A bill for an act relating to highways; repealing a proposed amendment to Article XIV of the state constitution; repealing Laws 1975, Chapter 203, Sections 25 and 26.

Referred to the Committee on Transportation and General Legislation.

Messrs. Hansen, Mel; Keefe, S. and Brown introduced—

S. F. No. 1785: A bill for an act relating to elections; providing for the maintenance of voter registration files; amending Minnesota Statutes 1974, Section 201.081, Subdivisions 2 and 3.

Referred to the Committee on Transportation and General Legislation.

Messrs. Hansen, Mel; Keefe, S. and Olson, A. G. introduced—

S. F. No. 1786: A bill for an act relating to elections; providing for the maintenance of permanent registration systems in all counties; amending Minnesota Statutes 1974, Section 201.021, as amended.

Referred to the Committee on Transportation and General Legislation.

Messrs. Brown, Conzemius and Renneke introduced—

S. F. No. 1787: A bill for an act relating to corrections; providing for payment of hospitalization insurance for employees retiring before age 65; amending Minnesota Statutes 1974, Section 241.01, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Olson, A. G.; Kowalczyk and Laufenburger introduced—

S. F. No. 1788: A bill for an act relating to banks and banking; authorizing consumer banking facilities; providing penalties.

Referred to the Committee on Labor and Commerce.

Mr. Borden introduced—

S. F. No. 1789: A bill for an act relating to civil defense; pro-

viding for an interstate civil defense and disaster compact; repealing Laws 1951, Chapter 669.

Referred to the Committee on Governmental Operations.

Mr. Borden introduced—

S. F. No. 1790: A bill for an act relating to civil defense; requiring the executive council to declare an emergency when a disaster has occurred or is imminent; requiring the division of emergency service to assist in the provision of relief measures when a disaster occurs and to coordinate interjurisdictional disaster planning; amending Minnesota Statutes 1974, Sections 12.01; 12.02, Subdivision 1; 12.03; 12.25, Subdivisions 1 and 2; and Chapters 9, by adding a section; and 12, by adding sections.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 1791: A bill for an act relating to real estate; providing for limitation of action for damages based on errors in the survey of land; amending Minnesota Statutes 1974, Section 541.051, Subdivision 1.

Referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 1792: A bill for an act relating to the registration of title to real estate; fees of the registrar; providing that certain fees be credited to the assurance fund; eliminating the fees for filing the certified copy of the application for registration; amending Minnesota Statutes 1974, Sections 508.75 and 508.82.

Referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 1793: A bill for an act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

Referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 1794: A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 1795: A bill for an act relating to retired state employees; providing certain hospital and medical insurance coverages at no cost to the state; amending Minnesota Statutes 1974, Section 43.491, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Mr. Gearty introduced—

S. F. No. 1796: A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1974, Section 256D.08, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Gearty introduced—

S. F. No. 1797: A bill for an act relating to welfare; providing that certain payments be disregarded in the calculation of income of persons eligible for general assistance; amending Minnesota Statutes 1974, Section 256D.08, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Humphrey and Borden introduced—

S. F. No. 1798: A bill for an act relating to energy; providing for certain restrictions on the use of energy in this state; requiring disclosure of energy consumption data in the sale of certain goods; establishing an energy research and development program; authorizing loans for improving home heating efficiency; prescribing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 116H.02, by adding subdivisions; 116H.12, by adding a subdivision; 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and Chapter 116H, by adding sections.

Referred to the Committee on Labor and Commerce.

Messrs. Borden and Humphrey introduced—

S. F. No. 1799: A bill for an act relating to energy conservation; providing for promulgation of quality standards and performance labeling of solar energy devices; exempting solar energy devices from property taxation; providing a ten percent credit against income tax for the cost of pollution control equipment and solar energy devices; extending feedlot pollution control equipment credit; exempting solar energy devices and pollution control equipment from sales taxation; amending Minnesota Statutes 1974, Sections 290.06, Subdivisions 9 and 9a; and 297A.25, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 272.02, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. Wegener, Dunn and Hansen, Baldy introduced—

S. F. No. 1800: A bill for an act relating to unemployment compensation; disqualifying an individual from benefits for a voluntary termination of employment if within the previous three years he had received more than 13 weeks of benefits after a voluntary termination of employment; requiring the commissioner of the department of revenue to furnish certain information to the department of employment services; requiring the commissioner of the department of employment services to furnish certain information to the department of public welfare; providing that unemployment compensation benefits be taxable as gross income if the benefits and federal gross income exceed \$8,000; amending Minnesota Statutes 1974, Sections 268.12, Subdivision 12; and 290.61; Minnesota Statutes, 1975 Supplement, Sections 268.09, Subdivision 1; and 290.01, Subdivision 20.

Referred to the Committee on Labor and Commerce.

Messrs. Laufenburger and Conzemius introduced—

S. F. No. 1801: A bill for an act relating to the Whitewater River Valley; authorizing a conservation pilot program in the counties of Olmsted, Wabasha, and Winona; appropriating money.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Laufenburger introduced—

S. F. No. 1802: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association; repealing Laws 1974, Chapter 188.

Referred to the Committee on Governmental Operations.

Mr. Conzemius introduced—

S. F. No. 1803: A bill for an act relating to appropriations; appropriating funds for modification and repair of Byllesby Dam.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Stokowski, Hansen, Mel and Gearty introduced—

S. F. No. 1804: A bill for an act relating to the city of Minneapolis; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; requiring approval of such contracts by the metropolitan council.

Referred to the Committee on Metropolitan and Urban Affairs.

Mr. Hansen, Baldy introduced—

S. F. No. 1805: A bill for an act relating to motor vehicle carriers; reinstating the rights of certain permit carriers upon filing proof of insurance or other security; amending Minnesota Statutes, 1975 Supplement, Section 221.141, Subdivision 2.

Referred to the Committee on Labor and Commerce.

Mr. Borden introduced—

S. F. No. 1806: A bill for an act relating to state administrative procedures; amending Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.

Referred to the Committee on Judiciary.

Messrs. Brown and Bernhagen introduced—

S. F. No. 1807: A bill for an act relating to buildings; granting an easement for sunlight to persons owning buildings using a solar energy system; providing for treble damages against persons violating the easement.

Referred to the Committee on Judiciary.

Messrs. Stokowski, Gearty and Ogdahl introduced—

S. F. No. 1808: A bill for an act relating to retirement; proportionate annuities for members of various funds; amending Minnesota Statutes, 1975 Supplement, Section 356.32, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Gearty and Ogdahl introduced—

S. F. No. 1809: A bill for an act relating to the city of Minneapolis; municipal employees survivor benefits; amending Minnesota Statutes 1974, Section 422A.23, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Section 422A.23, Subdivision 4.

Referred to the Committee on Governmental Operations.

Mr. Schmitz introduced—

S. F. No. 1810: A bill for an act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

Referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

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

following House Files, herewith transmitted: H. F. Nos. 256, 341 and 603.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 645, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 645: A bill for an act relating to health; 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.

House File No. 645 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

Mr. Anderson moved that H. F. No. 645 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 645

A bill for an act relating to health; 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.

May 19, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 645 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 645 be further amended as follows:

Strike everything after the enacting clause and insert

"Section 1. [PURPOSE; CITATION.] Subdivision 1. [PURPOSE.] The purpose of this act is to develop and maintain an integrated system of community health services under local

administration with a system of state guidelines and standards.

Subd. 2. [CITATION.] Sections 1 to 13 of this act may be cited as the "community health services act".

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the following terms shall have the meanings here given them.

Subd. 2. "Human services" means correctional, educational, employment, health, mental health, and social services.

Subd. 3. "Health services" means those personal health services provided to individuals by licensed health professionals engaged in private practice, institutional health services and community health services.

Subd. 4. "Institutional health services" means the services provided in hospitals, nursing homes and other licensed health facilities.

Subd. 5. "Community health services" means those services designed to protect and improve the people's health within a geographically defined community by emphasizing services to prevent illness, disease, and disability, by promoting effective coordination and use of community resources, and by extending health services into the community. These services include community nursing services, home health services, disease prevention and control services, family planning services, nutritional services, dental public health services, emergency medical services, health education, and environmental health services.

Subd. 6. "Community nursing services" means public health nursing services that emphasize prevention by providing family centered nursing, including prenatal, well child, crippled child, school health, family planning, and nutritional services as well as individual and family health appraisal, screening, follow up, and referral for personal health services.

Subd. 7. "Home health services" means home nursing, physical therapy, nutrition, occupational therapy, homemakers, and home health aide services, which are provided under medical supervision.

Subd. 8. "Disease prevention and control services" means epidemiology, immunization, case finding and follow up, continuing surveillance, detection, and prevention of communicable diseases and chronic diseases including referrals for personal health services.

Subd. 9. "Family planning services" means counseling by trained personnel regarding family planning; distribution of information relating to family planning, referral to licensed physicians or local health agencies for consultation, examination, medical treatment, genetic counseling, and prescriptions for the purpose of family planning; and the distribution of family planning products, such as charts, thermometers, drugs, medical preparations, and contraceptive devices. For purposes of this act, family planning shall mean voluntary action by individuals to prevent or aid conception but

shall not include the performance, or make referrals for encouragement of voluntary termination of pregnancy.

Subd. 10. "Nutritional services" means those activities designed to provide information about food substances which will alleviate dietary deficiencies and resulting health complications.

Subd. 11. "Dental public health services" means those organized community activities that are intended to prevent dental disease and promote dental health, including information, education and demonstration of actions that individuals and families can take to prevent dental disease and maintain dental health.

Subd. 12. "Emergency medical services" means those services which provide rapid and effective medical treatment to persons beset by a life threatening situation, at the scene of the emergency, enroute to a treatment center, and in the emergency department of that treatment center.

Subd. 13. "Health education" means those activities which develop each individual's awareness and sense of responsibility for his own health, the health of the family, and the health of the community, including basic information concerning the availability of health services in the community.

Subd. 14. "Environmental health services" means those services designed to achieve an environment conducive to man's health, comfort, safety, and well being. These services include food protection, hazardous substances and product safety, water supply sanitation, septic tank and soil absorption type sewage disposal, water pollution control, occupational health and safety, radiation control, air pollution control, noise pollution control, vector control, institutional sanitation, recreational sanitation including swimming pool sanitation and safety, housing code enforcement for health and safety purposes unless the enforcement is performed by another city or county agency designated by the county board or city council, and general nuisance control.

Subd. 15. "Population" means the total resident population as enumerated during the most recent federal census or, the annual population estimate prepared by the state planning agency in cooperation with the bureau of the census shall be used in order to have the most current data available.

Subd. 16. "Taxable value" means the adjusted assessed valuation of a county which shall be certified annually to the state board of health by the equalized assessment review committee.

Subd. 17. "Local expenditure" means the total annual expenditures financed from all sources by counties and other local units of government within a county for community health services. The county auditor shall annually certify to the state board of health the total amount of such community health services expenditures on forms and in such detail as may be prescribed by the state board of health.

Subd. 18. "Per capita income" means the average income of the

residents of a particular jurisdiction as calculated by the most recent federal census.

Subd. 19. "County board" means a county board of commissioners.

Subd. 20. "Board of health" means a local board of health organized under the provisions of section 3.

Sec. 3. [LOCAL BOARD OF HEALTH; ORGANIZATION.] Subdivision 1. [COUNTIES.] A county may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly:

(a) Human Services Board—The county board of a county that has or hereafter establishes an operational human services board pursuant to Minnesota Statutes, Chapter 402, or Laws 1974, Chapter 293, shall assign the responsibilities of this act to the human services board.

(b) County Board — The county board may assume the responsibilities of the board of health pursuant to this act.

(c) Board of Health—The county board may assign the responsibilities of a board of health under this act to the board of health of said county organized under Minnesota Statutes, Sections 145.47 to 145.55, or Laws 1969, Chapter 235.

(d) Board of Health—The county board may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single county shall consist of five members appointed by the county board. When two or more counties combine to form a board of health, each county board shall appoint two members to the board of health, except that the county board having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the county board. Continuity of membership shall be assured by having approximately one third of the members' terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and vice chairman with terms of one year.

Subd. 2. [CITIES.] A city, located in a county with a population of 300,000 or more persons, or any city which is located in three counties, may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly;

(a) City Council—The city council may assume the responsibilities of the board of health pursuant to this act.

(b) Board of Health—The city council may assign the re-

sponsibilities of the board of health to the board of health of said city organized under Minnesota Statutes, Section 145.01.

(c) Board of Health—The city council may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single city shall consist of five members appointed by the city council. When two or more cities combine to form a board of health, each city council shall appoint two members to the board of health, except that the city council of the city having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the city council. Continuity of membership shall be assured by having approximately one third of the members' terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and a vice chairman with terms of one year.

Subd. 3. [ADVISORY COMMITTEE.] In each case where a board of health has been assigned the responsibilities of this act a single local community health services advisory committee shall be established by the participating county boards or city councils to advise, consult with, or make recommendations to the board of health on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee shall consist of not less than nine members and no more than 21 members. The membership of the advisory committee shall be as follows: at least one third providers of health services, including at least three licensed health professionals; and at least one third consumers selected to represent consumers organizations or constituencies within the community, provided, however, that the advisory committee to a county board of health for a county with 300,000 or more persons shall be as follows: at least 51 percent local government officials and the remainder divided equally between providers of health services and consumers. Continuity of membership of each advisory committee shall be assured by having an approximately equal number of terms expire each year. First appointments may be for less than two years, thereafter all terms shall be two years and no member shall serve more than three consecutive terms. Notwithstanding any law to the contrary, members may receive a per diem and be reimbursed for travel and other necessary expenses while engaged in their official duties, as determined by the appointing authority. The committee shall elect officers including a chairman and vice chairman with terms of one year. The committee shall meet at least six times a year and at the call of the chairman or a majority of the members.

Sec. 4. [LOCAL BOARD OF HEALTH; AUTHORITY.] Subdivision 1. [GENERAL DUTIES.] The board of health shall have general authority and responsibility for the development

and maintenance of an integrated system of community health services.

Subd. 2. [POWERS.] In addition to any other powers assigned to a board of health by sections 1 to 11, the board of health for a county shall possess all the powers and duties now assigned by law to local boards of health pursuant to Minnesota Statutes, Section 145.01, and to public health nursing and home health services agencies pursuant to Minnesota Statutes, Sections 145.08 to 145.125, provided however that this subdivision shall not supersede or otherwise change the powers and duties of any city or township eligible for the subsidy under the provisions of section 7 of this act, or of any city of the first or second class with an existing program of community health services located within a county with a population of 300,000 or more persons until the city council of said city shall take action to allow the county to pre-empt the powers and duties of said city. Not later than 365 days after the approval of the community health services plan by the state board of health, any county or city board, committee or commission having authorities or duties in any area designated in sections 1 to 11 other than the board of health designated and acting pursuant to sections 1 to 11, shall cease its operation and no per diem or reimbursement of expenses shall be paid to any member of the board, committee, or commission.

Subd. 3. [EMPLOYEES.] The board of health may employ administrators, officers, employees, and agents as necessary to carry out the provisions of this act. Employees of the board of health shall be subject to any personnel administration rules adopted by the county board or boards or the city council or councils unless by law the employees or a class of employees shall be within the scope of a state wide personnel administration system. All persons employed by a county, city or the state, whose functions and duties are assumed by the board of health shall become employees of the board of health without loss in benefits, salaries or rights.

Subd. 4. The board of health by any lawful means, including gifts, purchase, lease, or transfer of custodial control, may acquire and hold in the name of the county or city the lands, buildings, and equipment necessary and incident to the accomplishment of the purposes of this act and accept gifts, grants, and subsidies from any lawful source, apply for and accept state and federal funds, request and accept local tax funds, establish and collect reasonable fees for community health services provided.

Subd. 5. The board of health may contract for services from private firms, nonprofit corporations, primary and secondary schools, state and local governmental agencies, or other community agencies to avoid unnecessary duplication of services and realize cost advantages. The board of health may offer to contract to provide public health nursing and other school health services to the schools within its jurisdiction. The contracts shall be employed to improve efficiency and the quality and effectiveness of services and shall give preferential consideration to existing municipal programs. Contracts shall be awarded on the basis of cost benefit comparisons and considerations.

Subd. 6. The board of health shall coordinate community health services with the delivery of personal health services, institutional health services, and related human services in the community; ensure responsible medical consultation and direction by employing or contracting with a practicing licensed physician; and coordinate community health services with health related environmental control services in the community. The board of health shall coordinate local, state, and federal services and funding for community health services.

Subd. 7. The board of health shall evaluate the effectiveness and efficiency of community health services systems and programs and as a condition of qualifying for the community health services subsidy, prepare the annual community health services plan and budget, as provided in section 10.

Subd. 8. The board of health shall identify community health needs and set priorities among the needs for the broad range of community health services including the health needs of minorities and nonresidents, including tourists and migrants, and ensure that services are accessible to all persons on the basis of need and that no one is denied services because of race, color, sex, age, language, religion, nationality, economic status, political persuasion or place of residence.

Subd. 9. The board of health shall recommend appropriate local legislation pertaining to community health services to the county board or city council and shall advise the state board of health on matters relating to public health that require assistance from the state, or that may be of more than local interest.

Subd. 10. The board of health shall publish for distribution an annual report of the activities of the board of health.

Subd. 11. When the board of health determines that there is an acute shortage of medical or other health manpower, or that there is a significant problem in providing access to health care in the area, the board of health shall address itself to the resolution of those problems. The solution may involve providing assistance to recruit medical or other health personnel to the area, or the development of suitable linkages between area medical and allied health personnel that will make more effective use of existing private, nonprofit and community resources and extend health care into the community.

Sec. 5. [DUTIES OF COUNTY BOARD.] Subdivision 1. A county board of any county having a board of health organized under this act shall review and approve the community health services plan prior to the submission of the plan to the state board of health. The plan submitted by the county board shall incorporate the plans developed by any city organized under the provisions of section 3 that has established eligibility under the provisions of section 7. Upon receipt of the community health services plan, or any proposed revision, from a city, the county board shall review and act on the plan or the proposed revision within 30 days. The county board may approve the plan as writ-

ten or refer the plan back to the city with comments and instructions for further consideration. The city or the county may appeal to the state board of health for resolution of differences regarding the community health services plan. A failure to act within the specified time shall constitute approval of the plan.

Subd. 2. A county board of any county having a board of health organized under this act may by ordinance adopt and enforce minimum standards and regulations for the services comprehended under this act; provided, however, that no county regulations shall conflict with state legislation or with higher standards established either by regulation of an agency of state government or by the provisions of the charter or ordinances of any city organized under the provisions of this act.

Sec. 6. [BUDGET; FUNDS.] Subdivision 1. On or before July 1 of each year the board of health, if other than the county board, or the joint board of two or more county boards, or the city council or councils, shall submit to the county board or boards or the city council or councils an estimate of the amount needed by the board of health to perform its duties including costs of administration for the ensuing year. The proposed plan and budget shall set forth the expected source and amounts of funds which are expected to be available to the board of health and its proposed plan of expenditures to perform its duties and responsibilities. The county board or boards or the city council or councils shall consider the estimates of income and the plan for expenditures and as the estimates and plan are approved or approved as modified, shall levy a tax within the levy limits provided by law.

If two or more counties or cities have agreed as provided in Minnesota Statutes, Section 471.59, to a joint or multi-county or multi-city or multi-city-county activity, the county boards or city councils party to the agreement shall determine the proportional financial responsibility of each county or city to support the programs and services of the board of health if the agreement had not provided for the division of costs or other arrangements pursuant to the agreement.

Sec. 7. [ELIGIBILITY; WITHDRAWAL.] Subdivision 1. [ELIGIBILITY OF COUNTIES.] A county or two or more contiguous counties combined under the provisions of Minnesota Statutes, Section 471.59, shall be eligible for the community health services subsidy provided in section 11 under the following conditions:

(a) There shall be an aggregate population of 30,000 or more persons in the county or multi-county area located within a region designated pursuant to Minnesota Statutes, Sections 462.-381 to 462.396, or Chapter 473B. However, when three or more counties combine for the purposes of this act, the 30,000 minimum population shall not be required. When two or more counties combine for the purposes of this act, the state board of health with the approval of the regional development commissions directly involved, may waive the requirements that all

counties be within a single development region; provided however, that if a single county has received an exemption for formation of a human services board pursuant to Minnesota Statutes, Section 402.01, the population base of 30,000 is waived and such county shall be eligible for participation in this act;

(b) There shall be a board of health organized under the provisions of section 3;

(c) There shall be substantial compliance with the requirements of the state board of health established under the provisions of section 8;

(d) There shall be local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by both the county board and the state board of health.

Failure of a county or group of counties to elect to come within the provisions of sections 1 to 11 shall not affect their eligibility for any other state subsidy.

Subd. 2. [ELIGIBILITY OF CITIES.] A city having a city health department organized under the provisions of chapter 145 and located in a county having a population of 300,000 or more persons, or two or more contiguous cities combined under the provisions of section 471.59, having an aggregate population of 65,000 or more persons and located in a county having a population of 300,000 or more persons, shall be eligible for the community health services subsidy under the provisions of this act if:

(a) There is a board of health organized under the provisions of section 3, subdivision 2;

(b) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(c) There are local matching funds provided to support the community health services as provided in section 11;

(d) The plan developed under the provisions of section 10 shall be consistent with the plan developed by the county and shall be approved by both the city council and the county board.

The city's proportionate share of the community health service subsidy shall be determined by calculating the proportion of local expenditures for community health services within the county that were expended by the city. In a county which has, or hereafter establishes, an operational human services board pursuant to section 3, subdivision 1, the subsidy payment shall be made to the human services board pursuant to Minnesota Statutes, Section 402.02, Subdivision 4. The human services board shall assure that those cities which establish eligibility under this subdivision receive their proportional share of the subsidy by entering into a contract with the city under which the city shall provide community health services in return for their share of the subsidy.

Subd. 3. [ELIGIBILITY OF CITIES.] A city located within three or more counties and any contiguous political subdivision or subdivisions shall have the authority to combine, for the purposes of this act, under the provisions of Minnesota Statutes, Section 471.59, and shall be eligible for a proportional share of the subsidy provided in section 11 for the counties under the following conditions:

(a) There shall be an aggregate population of 40,000 or more persons;

(b) There is a board of health organized under the provisions of section 3;

(c) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(d) There are local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by the city council and the governing bodies of each of the political subdivisions and by the state board of health.

The proportionate share of the subsidy for the city and any contiguous political subdivision combined with such city shall be determined by calculating the proportion of total county population that live in the city and the contiguous political subdivisions. When all three counties within which the city is located have combined under the provisions of this act, the subsidy payment shall be made to the multi-county board of health. The multi-county board of health shall enter into a purchase of service contract to provide a proportional share of the subsidy to the city and any contiguous political subdivisions that establish eligibility under the provisions of this subdivision.

Subd. 4. [WITHDRAWAL.] Any participating county or city may, by resolution of its governing body, indicate its intention to withdraw from the subsidy program established by this act. Notification shall be given to the state board of health and to each county or city in any multi-county or multi-city combination, at least one year before the beginning of the fiscal year in which it takes effect. When two or more counties or cities have combined for the purposes of sections 1 to 11, the withdrawal provision shall not be applicable during the first two years following the adoption of the initial agreement to combine. The withdrawal of a county or city from a group of two or more counties or cities combined for the purposes of sections 1 to 11 shall not affect the eligibility for the community health services subsidy of the remaining counties or cities for at least one year following the withdrawal.

Sec. 8. [DUTIES OF THE STATE BOARD OF HEALTH.]
Subdivision 1. The state board of health shall:

(a) Provide consultation and technical training to communities to assist them in the development and provision of services, encouraging multi-county configurations to ensure that a county

will not be isolated geographically and thereby ineligible for the subsidy.

(b) Develop guidelines and recommended administrative procedures through a planning process with representation from local health boards. Adoption of these guidelines and administrative procedures by the board of health shall not be a prerequisite for plan approval.

(c) Promulgate regulations in accordance with Minnesota Statutes, Chapter 15, for the purposes of establishing standards for:

(1) Training, credentialing, and experience requirements for key administrative personnel to ensure expertise in administration, planning, and in each services program included in the community health services plan;

(2) A uniform reporting system that will permit an assessment of the efficiency and effectiveness of service delivery programs; and

(3) A planning process that will encourage full community participation in the development of the community health services plan.

(d) Review and act on the community health services plan and any proposed revision within 60 days after receiving the plan or revision. The state board of health may approve the plan as written or refer the plan back to the applicant with comments and instructions for further consideration. A failure to act within the specified time shall constitute approval of the plan.

(e) Provide application forms and instructions for preparation and submission of applications for the community health services subsidy, in accordance with the provisions of section 10.

Subd. 2. The state board of health may enter into an agreement as prescribed in Minnesota Statutes, Section 145.55, with any county or city or group of counties or cities organized under the provisions of section 3 to perform all or part of the licensing, inspection, and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157.

Sec. 9. [COMMUNITY HEALTH SERVICES ADVISORY COMMITTEE.] An advisory committee is established to advise, consult with, and make recommendations to the state board of health on matters relating to the development, maintenance, funding and evaluation of community health services. Each board of health meeting the eligibility requirements of section 7 of this act may appoint a member to serve on the committee. The terms shall be two years and no member shall serve more than three consecutive terms. Continuity of membership shall be assured by having an approximately equal number of terms expire each year. Members may receive a per diem and shall be reimbursed for travel and other necessary expenses while engaged in their official duties. The committee shall meet at least

quarterly and special meetings may be called by the chairman or a majority of the members.

Sec. 10. [COMMUNITY HEALTH SERVICES PLAN.] Subdivision 1. [PLAN CONTENT.] The community health services plan shall be a written plan for the development, implementation, coordination, and operation of community health services that meet the priority needs of the community. Financial constraints and differing priorities may result in variations in levels of effort for different services. The plan shall include the following:

(a) A description of the process used to encourage full community participation in the development of the plan;

(b) An explanation of the extent to which the planning and service delivery systems have been integrated with the delivery of personal health services, institutional health services, health related environmental programs and services, and with related human services in the community. The plan shall include a statement of the priority needs of the community and an inventory of existing health related services in the community;

(c) Descriptions of each service program including each of the following: Community nursing services, home health services, disease prevention and control services including immunization, emergency medical services, health education, and environmental health services;

(d) The projected amount and sources of funding for carrying out the plan;

(e) A report and evaluation of the two preceding years community health service programs.

Subd. 2. [PLAN SUBMISSION.] The application for a community health services subsidy and the plan and any proposed revision of the plan shall be submitted to the appropriate regional development commission or to the metropolitan council and to the state board of health. The regional development commission or the metropolitan council shall review the plan to determine conformance with regional plans developed by the health systems agency under the provisions of the National Health Planning and Resource Development Act of 1974, and submit their findings and other comments and recommendations to the state board of health within 40 days after receiving the plan.

Sec. 11. [COMMUNITY HEALTH SERVICES SUBSIDY.] Subdivision 1. [PAYMENT.] When a city, county, or group of cities or counties meets the requirements prescribed in section 7, the state board of health shall pay the amount of subsidy to the city or county in accordance with applicable rules and regulations from the funds appropriated for the purpose. The state board of health may make an advancement of funds on a quarterly basis.

Subd. 2. [FORMULA.] To determine the amount to be paid participating cities and counties, the state board of health shall

apply the following formula using the most current data available:

(a) All counties will be ranked in accordance with a formula involving three factors:

(1) Per capita income;

(2) Per capita taxable value; and

(3) Per capita local expenditure per 1,000 population for community health services.

(b) Each county is then ranked as follows:

(1) On the basis of per capita income the ranking is from the lowest to the highest;

(2) Per capita taxable value is ranked from lowest to highest;

(3) Per capita expenditure is ranked from highest to lowest.

(c) The ranking given each county on each of the foregoing three factors is then totaled and the counties ranked in numerical order according to score.

(d) The total score for each county thus determined is then divided into a median total score. The quotient thus obtained is then multiplied by \$2.25 times the county population. The resulting product is the amount of subsidy to which the county is eligible under this formula, provided that no city or county shall receive less than \$1.75 or more than \$2.75 per capita, provided that such computation shall not include additional subsidies granted pursuant to subdivision 4 or subdivision 5 of this section.

Subd. 3. [LOCAL MATCH.] The amount of local matching funds required to receive the full subsidy shall be determined by multiplying the population by \$4.50 and subtracting the community health services subsidy allocated under the provisions of this section. The local matching funds may include local tax levies, gifts, fees for services and revenues from contracts. When the amount of local matching funds is less than the amount specified, the state formula subsidy shall be reduced proportionally. When a participating city or county fails to expend the full amount of the subsidy to which it would be entitled in any one year under the provisions of this act, the state board of health may, at its discretion, retain the surplus, subject to disbursement in the following year to the city or county if it can demonstrate a need for and ability to expend the surplus for the purposes provided in section 8. A city organized under the provisions of this act that levies a tax for provision of community health services shall be exempted from any county levy for the same services to the extent of the levy imposed by the city.

Subd. 4. [PAYMENT.] A city, county, or group of cities or counties with an aggregate population of 50,000 or more persons which meet the eligibility requirements of section 5 shall be entitled to an additional annual payment of \$.25 per capita.

Each county that combines with another county or counties

for the purposes of sections 1 to 11 shall be entitled to an additional annual payment of \$5,000.

Subd. 5. [PLANNING GRANTS.] The state board of health may provide grants to any county or group of counties showing intent to come within the provisions of sections 1 to 11 for the purpose of planning for the development, implementation, and operation of community health services. No single county shall receive more than \$25,000 to conduct the planning. The state board of health shall specify the terms and conditions of grants.

Sec. 12. [SPECIAL GRANTS.] Subdivision 1. The state board of health may make special grants to cities, counties, groups of cities or counties, or nonprofit corporations to establish, operate or subsidize clinic facilities and services, including mobile clinics, to furnish health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. Applicants shall submit for approval a plan and budget for the use of the funds in the form and detail specified by the state board of health. They shall maintain records, including records of expenditures to be audited, as the state board of health specifies.

Subd. 2. The state board of health may make special grants to local boards of health to establish, operate, or subsidize clinic facilities and services to furnish health services for native Americans who have no established county of residence. The community health services plan submitted by the local board of health must contain a proposal for the delivery of the services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this subdivision.

Sec. 13. [APPROPRIATION TRANSFER.] The commissioner of finance is authorized to transfer funds from any appropriation made to the state board of health to the appropriation provided in section 14 of this act. Such transfer shall occur after a request by the commissioner of health identifying the specific amounts from each appropriation, and the programs effected by the requested transfer. The commissioner of health shall furnish copies of each request to the committee on finance of the Senate and the committee on appropriations of the House of Representatives.

Sec. 14. [APPROPRIATION.] Subdivision 1. The sum of \$1,500,000 is appropriated from the general fund to the state board of health for the biennium ending June 30, 1977 for the purposes specified in section 11, subdivisions 1 to 4.

Subd. 2. The sum of \$400,000 is appropriated from the general fund to the state board of health for the biennium ending June 30, 1977 for the purposes specified in section 11, subdivision 5.

Subd. 3. The sum of \$150,000 is appropriated from the general fund to the state board of health for the biennium ending June 30, 1977 for the purposes specified in section 12, subdivision 1.

Subd. 4. The sum of \$150,000 is appropriated from the general fund to the state board of health for the biennium ending June 30, 1977 for the purposes specified in section 12, subdivision 2.

Subd. 5. The sum of \$500,000 is appropriated to the general contingent fund for the purposes specified in section 11, subdivisions 1 through 4, to be expended in the manner prescribed in Minnesota Statutes 1974, Section 3.30.

Subd. 6. The sum of \$50,000 is appropriated from the general fund to the state board of health for the biennium ending June 30, 1977 for the purpose of administering section 8.

Sec. 14. [EFFECTIVE DATE.] The effective date of this act is July 1, 1975 except for section 11, subdivisions 1 to 4, which shall be effective July 1, 1976."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Donald Samuelson, Claudia Meier, Richard Wigley.

Senate Conferees: (Signed) Jerald Anderson, William Kirchner, John Milton.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 749, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 749: 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.

House File No. 749 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

Mr. Tennesen moved that H. F. No. 749 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 749

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 Min-

nesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision.

May 15, 1975

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 749 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 749 be amended as follows:

Page 2, delete lines 12 to 30 and insert

"(5) A small amount of marijuana is guilty of a petty misdemeanor punishable by a fine of up to \$100 and participation in a drug education program unless the court enters a written finding that such a program is inappropriate, said program being approved by an area mental health board with a curriculum approved by the state alcohol and drug abuse authority. A subsequent violation of this clause within ~~one year~~ two years is a misdemeanor, and a person so convicted ~~may~~ shall be required to participate in a medical chemical dependency evaluation and treatment if so indicated by the evaluation. Upon a first conviction under this section the courts shall forward a report of said conviction to the department of public safety which shall make and maintain a private, non-public, record for a period not to exceed two years from the date of conviction. The private, nonpublic record shall be solely for use by the courts in determining the penalties which attach upon conviction under this section."

Page 3, line 13, delete "*first or second offense*" and insert "*petty misdemeanor*"

Page 3, line 18, delete "*first or second*"

Page 4, lines 4 and 5, delete "*the day*" and insert "*one month*"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Franklin J. Knoll, Donald M. Moe, A. J. Eckstein, Ray W. Faricy, Rodney N. Searle.

Senate Conferees: (Signed) Robert J. Tennessen, John L. Olson, Robert D. North, Mel Frederick

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1199, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and

treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

House File No. 1199 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

Mr. Moe moved that H. F. No. 1199 and the Conference Committee Report be returned to the House of Representatives, that the Conference Committee be discharged, and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1137, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1137: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

House File No. 1137 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1975

Mr. Humphrey moved that H. F. No. 1137 and the Conference Committee Report be returned to the House of Representatives, that the Conference Committee be discharged, and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House. The motion prevailed.

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. 22: A bill for an act relating to education; the establishment of educational cooperative service units to provide edu-

cational services and programs on a regional basis; appropriating money therefor.

Senate File No. 22 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

Mr. Hughes moved that the Senate do not concur in the amendments by the House to S. F. No. 22 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 919: A bill for an act relating to the environment; directing creation of an environmental permits coordination unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

Senate File No. 919 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

Mr. Moe moved that the Senate do not concur in the amendments by the House to S. F. No. 919 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 869: A bill for an act relating to St. Louis county; providing for the disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of any products therefrom.

Senate File No. 869 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

Mr. Coleman moved that S. F. No. 869 be laid on the table. The motion prevailed.

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. 1206: A bill for an act relating to state parks; exempting senior citizens from payment of certain fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 1.

Senate File No. 1206 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

Mr. Doty moved that the Senate do not concur in the amendments by the House to S. F. No. 1206 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 570: A bill for an act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

Senate File No. 570 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

Mr. O'Neill moved that the Senate do not concur in the amendments by the House to S. F. No. 570 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

FIRST READING OF HOUSE BILLS

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

H. F. No. 256: A bill for an act relating to education; establish-

ing a program of tuition supplements and equivalency credits for the Minnesota national guard; appropriating money.

Referred to the Committee on Education.

H. F. No. 341: A bill for an act relating to teachers; providing for an executive director of the professional teaching practices commission; budget of professional teaching practices commission; appropriating money; amending Minnesota Statutes 1974, Sections 125.184, Subdivision 2; and 125.185, Subdivisions 4 and 6; repealing Minnesota Statutes 1974, Section 125.185, Subdivision 8.

Referred to the Committee on Governmental Operations.

H. F. No. 603: A bill for an act relating to education; Minnesota higher education coordinating commission; providing grants-in-aid for part time students.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, makes the following report: Amend the Permanent Rules of the Senate as follows:

Strike all of Rule 62 and insert:

"62. The Senate shall employ for the 1976 session of the 69th Legislature, the following:

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
2	Administrative Assistant I	\$53.10
1	Administrative Assistant II	\$60.27
1	Assistant Captain of Pages	\$24.00
1	Assistant Executive Secretary	\$35.48
2	Assistant Public Information Officer	1 @ \$30.14
		1 @ \$35.62
10	Assistant Senate Counsel	2 @ \$41.10
		1 @ \$46.58
		3 @ \$50.68
		1 @ \$52.16
		1 @ \$55.75
		1 @ \$62.55
		1 @ \$71.92
2	Assistant Sergeant at Arms	\$29.15
1	Captain of Pages	\$26.12
1	Chaplain (Several to serve during Session)	\$25.00
1	Chief Committee Secretary	\$42.27
1	Chief Indexer	\$39.73
10	Clerk I	5 @ \$24.43
		5 @ \$25.89

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
13	Clerk Typist I	5 @ \$25.54
		8 @ \$27.07
8	Clerk Typist II	5 @ \$26.65
		3 @ \$28.25
12	Committee Administrative Assistant	7 @ \$40.30
		4 @ \$41.55
		1 @ \$42.47
12	Committee Clerk I	5 @ \$25.54
		7 @ \$27.07
3	Committee Clerk II	2 @ \$27.76
		1 @ \$29.42
1	Committee Clerk III	\$31.73
13	Committee Secretary	2 @ \$33.23
		11 @ \$35.20
1	Engrossing Clerk	\$29.42
1	Engrossing Secretary	\$40.56
1	Enrolling Clerk	\$28.25
2	Executive Secretary	\$42.27
1	First Assistant Secretary of the Senate	\$77.28
1	Fiscal Services Aide	\$33.47
1	Fiscal Services Supervisor	\$41.55
1	Fourth Assistant Secretary of the Senate	\$38.09
1	Indexer I	\$27.76
2	Indexer II	\$32.89
4	Legislative Assistant I	2 @ \$32.19
		1 @ \$35.20
		1 @ \$37.95
3	Legislative Assistant II	2 @ \$41.55
		1 @ \$45.21
4	Legislative Clerk I	\$25.54
7	Legislative Clerk II	3 @ \$25.94
		3 @ \$28.25
		1 @ \$29.32
3	Legislative Clerk III	\$29.42
1	Legislative Fiscal Analyst I	\$60.63
2	Legislative Fiscal Analyst II	\$68.22
2	Legislative Fiscal Analyst III	1 @ \$77.56
		1 @ \$81.79
1	Machine Operator	\$27.95
1	Minority Secretary of the Senate	\$68.78
25	Page	15 @ \$20.00
		10 @ \$22.00
1	Personnel Officer	\$55.19
1	Public Information Officer	\$41.55
4	Researcher I	1 @ \$35.20
		1 @ \$37.95
		2 @ \$40.24

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
5	Researcher II	2 @ \$40.83 2 @ \$44.12 1 @ \$45.21
2	Researcher III	1 @ \$51.50 1 @ \$57.53
1	Second Assistant Secretary of the Senate	\$46.69
20	Secretary	3 @ \$31.06 17 @ \$32.89
1	Secretary to Majority Leader	\$42.27
1	Secretary to Minority Leader	\$39.73
1	Secretary of the Senate	\$90.00
1	Senate Counsel	\$74.74
11	Senate Researcher	2 @ \$36.35 2 @ \$42.26 2 @ \$45.21 2 @ \$46.61 1 @ \$47.95 2 @ \$62.55
1	Senate Research Director	\$76.15
15	Sergeant	4 @ \$20.00 11 @ \$22.00
1	Sergeant at Arms	
22	Stenographer I	15 @ \$26.65 7 @ \$28.25
22	Stenographer II	3 @ \$28.87 19 @ \$30.58
1	Third Assistant Secretary of the Senate	\$41.83

Reports the same back with the recommendation that the permanent rules be so amended.

Mr. Coleman moved the adoption of the committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that Rule 62 of the Permanent Rules of the Senate be amended in accordance with the foregoing report of the Committee on Rules and Administration.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Coleman	Frederick	Humphrey
Arnold	Borden	Conzemius	Gearty	Jensen
Ashbach	Brataas	Davies	Hansen, Baldy	Keefe, J.
Bang	Brown	Doty	Hansen, Mel	Keefe, S.
Berg	Chenoweth	Dunn	Hanson, R.	Kleinbaum
Bernhagen	Chmielewski	Fitzsimons	Hughes	Knutson

Kowalczyk	Nelson	Olson, J. L.	Schaaf	Stassen
Larson	North	O'Neill	Schmitz	Stokowski
Lewis	Ogdahl	Patton	Schrom	Stumpf
Merriam	Olhoft	Pillsbury	Sillers	Ueland
Milton	Olson, A. G.	Purfeerst	Solon	Wegener
Moe	Olson, H. D.	Renneke	Spear	Willet

The motion prevailed. So the rule was amended.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman introduced—

SENATE RESOLUTION NO. 26:

BE IT RESOLVED, by the Senate, that the following named persons be and they hereby are appointed for the Session to the respective positions hereinafter stated and at the salaries of the respective positions heretofore established:

POSITION	NAME
Administrative Assistant I	Duane J. Gratz
Administrative Assistant II	John Kaul
Assistant Captain of Pages	Lee Preston
Assistant Executive Secretary	Natalie Kray
Assistant Public Information Officer	Charles Geer Robert Pokorney
Assistant Senate Counsel	Louis Claeson Thomas Deans James Dinerstein John Ellefson Diane Heins Gary Johnson John Lennes Thomas Triplett Alan Williams
Captain of Pages	Mary Aldrich
Chief Committee Secretary	Josephine Dario
Chief Indexer	Ardis Schulz
Clerk I	Daniel Bush Dennis Dwyer Ernst Ferrozzo Sandra Greeley
Clerk Typist I	Joyce Anderson Helen Donahue Lucie Gebhardt Teresa Gran Susan Hartfiel Cynthia Mooney Nancy Van Hoven

Clerk Typist II

Karen Clark
Kathleen Franey
Raymond Joachim, Jr.
Lois Klein
Isabel Levinson
Sheila Meyer
Ann-Louise Taylor
Gale Waldron

Committee Administrative Assistant

Mark Andrew
Michael Ahern
Susan Chianelli
William Conley
Rosemary Goff
Kelvin Johnson
Patrick Kelly
Janet Lund
Adelaide O'Brien
Linda Schutz
Dale Ulrich

Committee Clerk I

Joan Godeke
Janet Kampf
Nelsene Karns
Cynthia Kitlinski
Julianne Lapore
Gene Nelson
Brian Peterson
Mary Radaich
Margaret Smith
Mary Lyn Uhl
Kathleen Wigg

Committee Clerk II**Committee Clerk III****Committee Secretary**

Bettye Bates
Connie Dabelow
Peggy Kormendy
Helen Lyons
Phyllis Meryhew
Mary Mogush
Dagny Swanson
LaVerne Swanson
Mary Turk
Ardella Tischler
Ardith Vos

Executive Secretary

Dorothy Abell
Sandra Read

Fiscal Services Aide

Deborah Getter

Fiscal Services Supervisor

Joyce Kleinschmidt

**Fourth Assistant Secretary
of the Senate**

James Greenwalt

Indexer I

Indexer II

**Marcia Greenfield
Catherine Morrison**

Legislative Assistant I

**Denise Anderson
R. Earl Franz
Patricia Passman
Kathleen Stypula**

Legislative Assistant II

**Diane Hendrickson
M. Lucy Johnson**

Legislative Clerk I

Susan Applebaum

Legislative Clerk II

**Vicki Block
Jerome Earley
Charles Fastner
Allen Finnegan
LaVonne Gangl
Mary Ann Hecht**

Legislative Clerk III

**Mary S. Lee
Patrice Urman**

Legislative Fiscal Analyst I

David Giel

Legislative Fiscal Analyst II

David Johnson

Legislative Fiscal Analyst III

**Earl Evenson
Harold Miller**

Machine Operator

Barry Alverman

**Minority Secretary of the Senate
Page**

**George G. Goodwin
Colleen Barry
Grace Castano
Theresa Cooper
Douglas Dahl
Mara Dworak
Lynn Elrod
Karen Finseth
Carol Gorghuber
Jeffrey Hanson
David Hoiland
Keith Krueger
Bradley Lundell
George Meinz
Tom Myers
Marcia Nelson
Ann Nevin
Carlene Norton
Mary Rengel
Pamela Selbitschka
Richard Simon
David Vail
Charles Wallace
Debra Wermerskirchen
Julie Wolinski**

Personnel Officer	Eugene Daly
Public Information Officer	James Pirius
Researcher I	Kathy Gagne Susan Haigh Steven Lindgren Robert Renner, Jr.
Researcher II	Robert Ambrose Gary Bastian Joseph Beaton Frank Fly David Karpinski
Researcher III	Ronnie Brooks John Meusey
Secretary	Ruby Abelson Joyce Bukosky Mary Catlin Marlys Chamberlain Geraldine Dalbey Eleanor Dierckins Genevieve Donch Barbara Glick Martha Gordon Lorraine Hartman Stella Hough Laura Lindorfer Mabel Loomis Nancy Mathisrud Garlyn O'Leary Fern Oveson Ruth Peterson Sandra Wendt
Secretary to the Majority Leader	Shirley Cardwell
Secretary to the Minority Leader	Romayne Houle
Senate Counsel	Peter Wattson
Senate Researcher	Roger Bergerson Gary Botzek Peter Kiedrowski Stephen Korstad Joyce Krupey Robert Lacy Jerome Miranowski Richard Sevrá
Senate Research Director	William Riemerman
Sergeant	Jerome Coughlin James Darrell Paul Destasio Ralph Graham Otto Haase

	Mary Kennedy William Larson Alois Mareck Daniel Orsello Mary Russell John Stieger Judith Walk
Stenographer I	Beatrice Banet Nancy Dahl Virginia Engelhard Joanne Garcia Violet Geer Lois Hays Donna Larsen Beverly Marx Patti Maetzold Marcia Melgaard Janice Noruk Patricia Parker Lora Pedersen Gloria Stokes Mary Wagner
Stenographer II	JoAnne Blockey Doris Bronkar Sandra Brown Lois DeLong Sally Finney Ellen LaValla Margaret McShea Rhoda Parker Rita Ruhnke Bernice Schneider Delores Schuna Anne Steffel Joanne Stassen Judith Swanholm Cara Torseth Shirley Traxler Joyce Van Guilder Marion Vogel Debi Unger
Third Assistant Secretary of the Senate	Paul Johnson

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

Mr. Coleman introduced—

SENATE CONCURRENT RESOLUTION NO. 9

A Senate resolution relating to joint rules; providing deadlines for committee reports; amending Joint Rule 20.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring therein:

Joint Rule 20 is amended to read:

DEADLINES

Rule 20. Except for reports from the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes, committee reports on bills favorably acted upon by the committee in the house of origin after April 19, 1975, for the first year of the biennium, and committee reports on bills originating in the other house favorably acted upon by the committee after May 7, 1975, for the first year of the biennium, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

Except for reports from the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes, committee reports on bills favorably acted upon by the committee in the house of origin after March 9, 1976, for the second year of the biennium, and committee reports on bills originating in the other house favorably acted upon by the committee after March 16, 1976, for the second year of the biennium, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

Mr. Coleman moved the adoption of the foregoing resolution.

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

SENATE RESOLUTION NO. 27

A Senate Resolution providing for payment of postage for members of the Senate, 1976 Session of the 69th Legislature.

BE IT RESOLVED, that the Secretary of the Senate be authorized to purchase postage to furnish each member of the Senate 2,000 stamps, and that each member named as chairman of a standing committee in the Senate resolution designating committee assignments, be furnished with an additional 1,000 stamps for the necessary business of such committee; and

BE IT FURTHER RESOLVED, that an additional postage allowance of 1,000 stamps be authorized for the Minority Leader of the Minnesota State Senate, 1976 session, Mr. Ashbach, and for the Assistant Majority Whip, 1976 session, Mr. Borden.

BE IT FURTHER RESOLVED, that each member of the Senate shall receipt to the Secretary of the Senate for postage so received.

The question being taken on the adoption of the resolution,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that H. F. No. 525 be withdrawn from the Committee on Finance and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Olson, H. D. moved that the Conference Committee on S. F. No. 1308 be discharged and that a new Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like new Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Purfeerst moved that H. F. No. 1741 and the Conference Committee Report be returned to the Conference Committee as formerly constituted for further consideration. The motion prevailed.

RECESS

Mr. Ashbach moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, January 29, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate