

SIXTY-FOURTH DAY

St. Paul, Minnesota, Thursday, February 5, 1976

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

CALL OF THE SENATE

Mr. Conzemius imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Jensen	Milton	Purfeerst
Arnold	Frederick	Josefson	Ogdahl	Schmitz
Bernhagen	Gearty	Keefe, S.	Olhoff	Schrom
Blatz	Hansen, Baldy	Kirchner	Olson, A. G.	Stokowski
Borden	Hansen, Mel	Kowalczyk	Olson, J. L.	Stumpf
Conzemius	Hanson, R.	Larson	Patton	Ueland
Davies	Hughes	Lewis	Perpich, A. J.	Wegener
Doty	Humphrey	Merriam	Perpich, G.	Willet

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

Prayer was offered by the Chaplain, Rev. Dave S. Schneider.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 3, 1976

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1976	Date Filed 1976
	1003	1	February 2	February 2
	1555	2	February 2	February 2

Sincerely,
Joan Anderson Growe, Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. North and Schmitz introduced—

S. F. No. 1906: A bill for an act relating to licensed occupations; establishing a policy for the regulation of occupations; transferring responsibility for the provision of staffing and administrative services; clarifying reporting responsibilities; prescribing a procedure for complaint review; granting licensing boards additional powers relating to injunctive relief, subpoenas and continuing education; prescribing duties of the board of health relating to human services occupations, creating advisory councils; merging the licensed practical nursing board into the board of nursing; transferring employees and moneys; appropriating money; amending Minnesota Statutes 1974, Sections 125.182, Subdivision 3; 125.183, by adding a subdivision; 125.184, as amended; 125.185, as amended; 125.187; 144.955; 144.959; 147.021, Subdivision 1; 147.06; 147.13; 147.18; 147.23; 148.05; 148.06, Subdivision 1; 148.07, as amended; 148.10; 148.211, Subdivision 2; 148.241, Subdivision 1; 148.291, Subdivision 3; 148.57; 148.59; 148.90, as amended; 148.91, Subdivisions 1 and 3; 148.97, Subdivision 6; 148.98; 150A.04, Subdivision 5; 150A.06, Subdivision 1; 150A.08, Subdivision 4; 150A.09, Subdivision 3; 151.06, Subdivision 4; 151.10; 151.13; 151.14; 151.19; 151.25; 151.27; 155.02, Subdivision 7a; 155.03, Subdivision 2; 155.06, Subdivision 3; 155.09, Subdivisions 1, 4 and 5; 155.11, Subdivision 2; 155.14; 155.16; 155.18, Subdivision 1; 155.20, Subdivision 2; 156.01, Subdivision 5; 156.02, Subdivision 2; 156.03; 156.07; 156.072, Subdivisions 2 and 3; 156.081, Subdivision 1; 156.14; 214.06; 270.47; 326.08, Subdivision 1; 326.11, Subdivision 6; 326.15; 326.22, as amended; 326.23, 326.241, as amended; 326.242, Subdivisions 8 and 9; 326.33, Subdivisions 2 and 3; 326.331; 326.332, Subdivi-

sion 1; 326.334, Subdivisions 1 and 3; 326.54; 326.543; 326.544; 326.545; 326.546; 341.05, as amended; 341.06; 341.07; 341.08; 341.12; 341.13; 341.15; 386.63, Subdivisions 2 and 3; 386.64; 386.65, Subdivisions 1 and 2; 386.67; Chapter 214, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 125.183, Subdivision 3; 144.952, by adding a subdivision; 147.01; 147.02, Subdivision 1; 147.05; 148.03; 148.181; 148.191; 148.211, Subdivision 1; 148.261, Subdivision 1; 148.29, Subdivision 2; 148.291, Subdivision 1; 148.299; 148.52; 148.54; 148.60; 148.95; 150A.02, Subdivision 1; 150A.03, Subdivision 2; 151.03; 151.07; 153.02; 153.03; 153.04; 153.13; 154.22; 154.23; 155.05; 155.06, Subdivision 1; 155.08; 156.01, Subdivision 1; 214.04; 214.07; 270.41; 270.42; 326.03, Subdivision 1; 326.04; 326.05; 326.06; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1 and 5; 326.12; 326.13; 326.14; 326.17; 326.33, Subdivision 1; 326.541; 326.542; 341.01; 341.04; 341.10; 341.11; 386.63, Subdivision 1; 386.66; 386.68; repealing Minnesota Statutes 1974, Sections 144.956; 144.958; 144.965; 145.861; 145.862; 145.863; 145.864; 148.06, Subdivision 2; 148.231, Subdivision 2; 148.291, Subdivision 2; 148.55; 148.94; 148.97, Subdivision 2; 148.99, Subdivision 1; 150A.04, Subdivisions 1, 2, 3 and 4; 150A.07; 150A.08, Subdivision 2; 150A.09, Subdivision 2; 151.09; 153.10; 156.01, Subdivision 4; 326.08, Subdivision 3; 326.11, Subdivision 3; 326.16; 386.63, Subdivision 6; 386.65, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 145.865, Subdivision 1; 145.866; 148.211, Subdivision 3; 148.231, Subdivision 3; 148.291, Subdivision 4; 148.297, Subdivision 2; 148.55; 326.11, Subdivisions 2 and 4; 386.695; 386.696; and 386.70, Subdivisions 3, 4, 5 and 6.

Referred to the Committee on Governmental Operations.

Messrs. Berg; Hanson, R. and Olson, J. L. introduced—

S. F. No. 1907: A bill for an act relating to unemployment compensation; extending to ten weeks the disqualification period for persons voluntarily terminating employment without good cause; amending Minnesota Statutes, 1975 Supplement, Section 268.09, Subdivision 1.

Referred to the Committee on Labor and Commerce.

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

S. F. No. 1908: A bill for an act relating to crimes; repealing the law regulating admittance to public dances and the law proscribing holding of public dances at certain hours; repealing Minnesota Statutes 1974, Sections 624.49 and 624.51.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Kirchner and Hughes introduced—

S. F. No. 1909: A bill for an act providing for monitoring noise at the Minneapolis-St. Paul International Airport; appropriating money.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Merriam; Keefe, J. and Tennesen introduced—

S. F. No. 1910: A bill for an act relating to public welfare; providing visitation rights to unmarried minor children for grandparents in certain cases.

Referred to the Committee on Judiciary.

Mr. Brown introduced—

S. F. No. 1911: A bill for an act relating to the city of Newport; volunteer firemen's service pensions.

Referred to the Committee on Governmental Operations.

Messrs. Conzemius, Brown and Lewis introduced —

S. F. No. 1912: A bill for an act relating to corrections; creating a state board of corrections, and vesting in that board the supervisory responsibility for the correction matters of this state; amending Minnesota Statutes 1974, Sections 241.01, Subdivisions 1, 2, 5, 6, and by adding a subdivision; 241.045, Subdivisions 2, 3, 4 and 5; Minnesota Statutes, 1975 Supplement, Sections 241.01, Subdivisions 3a and 5a; 241.045, Subdivisions 1 and 7; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 4.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1913: A bill for an act relating to education; state community college board; faculty salary increases; approving the contract negotiated with the Minnesota community college faculty association.

Referred to the Committee on Education.

Messrs. Perpich, G. and Moe introduced—

S. F. No. 1914: A bill for an act relating to game and fish; providing temporary permits for handicapped hunters; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Milton, Anderson and Schaaf introduced—

S. F. No. 1915: A bill for an act relating to taxation; providing that local aid formula calculations may be based on special census figures; amending Minnesota Statutes, 1975 Supplement, Section 477A.01, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 1916: A bill for an act relating to the powers and duties of the commissioner of administration; regulations on the use of state owned vehicles; providing that such regulations do not apply to certain state law enforcement officials; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

Referred to the Committee on Governmental Operations.

Mr. Kleinbaum introduced—

S. F. No. 1917: A bill for an act relating to taxation; imposing a tax when residual materials attributable to the production of certain minerals are deposited in Lake Superior or on land; amending Minnesota Statutes 1974, Chapter 298, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 298.27.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 1918: A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Spear; Keefe, J. and Milton introduced—

S. F. No. 1919: A bill for an act relating to mental health; creating state and local councils for review of mental health treatment and surgical procedures; establishing procedures for the use of psychosurgery and electroconvulsive treatment; providing a penalty; amending Minnesota Statutes 1974, Section 253A.16, as amended.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1920: A bill for an act relating to juvenile courts; requiring written findings of fact for all dispositions of delinquent, dependent, and neglected children; amending Minnesota Statutes 1974, Sections 260.185, Subdivision 1; and 260.191, Subdivision 1.

Referred to the Committee on Judiciary.

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

S. F. No. 1921: A bill for an act relating to eminent domain; providing for referees in lieu of court appointed commissioners and prescribing the powers and duties of a referee; providing

that the county or city assessor's market value or estimated market value be the basis of the referee's initial award; providing a method of determining past taxes due on certain acquired property by reason of under assessment, and providing for the collection and distribution thereof; amending Minnesota Statutes 1974, Sections 117.105; 117.115; 117.135, by adding subdivisions; 117.145; 117.165, Subdivisions 1 and 2; 117.175, Subdivision 1; 117.195; Chapter 117, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 117.042; repealing Minnesota Statutes 1974, Sections 117.075 and 117.085.

Referred to the Committee on Judiciary.

Messrs. Kleinbaum and Brown introduced—

S. F. No. 1922: A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Kleinbaum, Stokowski and Hanson, R. introduced—

S. F. No. 1923: A bill for an act relating to retirement; volunteer firemen's lump sum benefits; amending Minnesota Statutes 1974, Section 69.06.

Referred to the Committee on Governmental Operations.

Messrs. Tennessen; Hansen, Mel; and Davies introduced—

S. F. No. 1924: A bill for an act relating to employment agencies; excluding teacher and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

Referred to the Committee on Labor and Commerce.

Messrs. Stassen and Solon and Mrs. Brataas introduced—

S. F. No. 1925: A bill for an act relating to education; providing for membership on the higher education coordinating board; amending Minnesota Statutes 1974, Section 136A.02, Subdivision 1.

Referred to the Committee on Education.

Messrs. Stassen, Hughes and Patton introduced—

S. F. No. 1926: A bill for an act relating to education; eye protection requirements for certain industrial and scientific courses; defining industrial quality eye protective devices; amending Minnesota Statutes 1974, Section 126.20, Subdivision 6.

Referred to the Committee on Labor and Commerce.

Messrs. Davies, Pillsbury and Schaaf introduced—

S. F. No. 1927: A bill for an act relating to no fault automobile insurance; clarifying the definition of motor vehicle; providing penalties against motorcycle owners who violate the no fault insurance act; amending Minnesota Statutes 1974, Section 65B.67, by adding a subdivision.

Referred to the Committee on Labor and Commerce.

Messrs. Hughes, McCutcheon and Milton introduced—

S. F. No. 1928: A bill for an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Stassen, Conzemius and O'Neill introduced—

S. F. No. 1929: A bill for an act relating to taxation; exempting employee commuter vans from motor vehicle excise tax; amending Minnesota Statutes, 1975 Supplement, Section 297B.03.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chenoweth, McCutcheon and Stumpf introduced—

S. F. No. 1930: A bill for an act relating to the city of St. Paul; providing for temporary use of a plan of assessment which will delay increases in assessed valuation in the city of St. Paul for certain buildings.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies and Merriam introduced—

S. F. No. 1931: A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions.

Referred to the Committee on Judiciary.

Messrs. Davies and Keefe, S. introduced—

S. F. No. 1932: A bill for an act relating to banking; providing for mailed notice of automatic renewal of time deposits and possible penalties or loss of interest or reduction of interest; amending Minnesota Statutes 1974, Chapter 47, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Stassen, McCutcheon and O'Neill introduced—

S. F. No. 1933: A bill for an act relating to taxation; providing for an investment credit for the purchase of consumer vans;

amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bernhagen introduced—

S. F. No. 1984: A bill for an act relating to the city of Rockford; proportionate service pensions and financing requirements of the firemen's relief association.

Referred to the Committee on Governmental Operations.

Messrs. Nelson, Anderson and Moe introduced—

S. F. No. 1985: A bill for an act relating to education; environmental curriculum; providing for the inclusion of food production studies as part of environmental education; amending Minnesota Statutes 1974, Section 126.111.

Referred to the Committee on Education.

Messrs. Keefe, S. and Kirchner introduced—

S. F. No. 1986: A bill for an act relating to the metropolitan airports commission; requiring the installation of aircraft noise suppressing equipment at certain Minneapolis-St. Paul International Airport sites; amending Laws 1975, Chapter 13, Section 100, by adding a subdivision.

Referred to the Committee on Metropolitan and Urban Affairs.

Mr. Keefe, S. introduced—

S. F. No. 1987: A bill for an act relating to elections; providing for allocation of moneys in the state elections campaign fund; amending Minnesota Statutes 1974, Section 10A.31, Subdivision 5.

Referred to the Committee on Transportation and General Legislation.

Mr. Keefe, S. introduced—

S. F. No. 1988: A bill for an act relating to elections; providing for allocation of moneys in the state elections campaign fund; amending Minnesota Statutes 1974, Section 10A.31, Subdivision 5.

Referred to the Committee on Transportation and General Legislation.

Mr. Keefe, S. introduced—

S. F. No. 1989: A bill for an act relating to lobbyists; changing the requirements for filing reports; amending Minnesota Stat-

utes 1974, Section 10A.04, Subdivision 4, and by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

Mr. Keefe, S. introduced—

S. F. No. 1940: A bill for an act relating to lobbyists; defining lobbyist; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

Referred to the Committee on Transportation and General Legislation.

Mr. Keefe, S. introduced—

S. F. No. 1941: A bill for an act relating to lobbyists; defining lobbyist; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 11.

Referred to the Committee on Transportation and General Legislation.

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

S. F. No. 1942: A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

Referred to the Committee on Transportation and General Legislation.

Mrs. Brataas and Messrs. Conzemius and Frederick introduced—

S. F. No. 1943: A bill for an act relating to taxation; providing for the assessment of dwelling units in certain buildings; amending Minnesota Statutes 1974, Section 273.133.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas and Messrs. Lewis and Nelson introduced—

S. F. No. 1944: A bill for an act relating to health; emphasizing what conditions make a certificate of need necessary;

amending Minnesota Statutes 1974, Section 145.72, Subdivision 3, as amended.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Brataas and Messrs. Frederick and Nelson introduced—

S. F. No. 1945: A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

Referred to the Committee on Governmental Operations.

Messrs. Tennesen, Brown and Humphrey introduced—

S. F. No. 1946: A bill for an act relating to privacy; prohibiting the disclosure of library circulation records or other records identifying the names of library users with specific materials to agencies or employees of federal, state, or local government except under authority of subpoena; prescribing penalties.

Referred to the Committee on Judiciary.

Messrs. Ueland; Keefe, J. and Tennesen introduced—

S. F. No. 1947: A bill for an act relating to courts; increasing the jurisdictional limits in conciliation courts of Hennepin county and Ramsey county; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Borden introduced—

S. F. No. 1948: A bill for an act relating to education; correcting gross earnings tax reimbursement payments to Independent School District 181; appropriating money.

Referred to the Committee on Education.

Messrs. Olson, J. L.; Laufenburger and Josefson introduced—

S. F. No. 1949: A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes, 1975 Supplement, Section 168.021, Subdivisions 1 and 2.

Referred to the Committee on Transportation and General Legislation.

Messrs. McCutcheon and Hansen, Mel introduced—

S. F. No. 1950: A bill for an act relating to the practice of chiropractic; prohibiting the state and its political subdivisions

from discriminating against licensed chiropractors in any manner which would tend to impede their performing and receiving compensation for authorized services; amending Minnesota Statutes 1974, Sections 148.03; and 148.08, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Perpich, G. introduced—

S. F. No. 1951: A bill for an act relating to retirement; police pensions and survivor benefits in cities of the fourth class; amending Minnesota Statutes 1974, Sections 423.55 and 423.58.

Referred to the Committee on Governmental Operations.

Mr. Perpich, G. introduced—

S. F. No. 1952: A bill for an act relating to public welfare; authorizing the commissioner to close institutions; amending Minnesota Statutes 1974, Chapter 246, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1953: A bill for an act relating to commerce; regulating the advertising of plants, flowers, trees, shrubbery and seeds unable to grow in the climate of Minnesota; amending Minnesota Statutes 1974, Chapter 325, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Stokowski, Gearty and Kleinbaum introduced—

S. F. No. 1954: A bill for an act relating to bingo; providing penalties; repealing Minnesota Statutes 1974, Chapter 349.

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

Mr. Gearty introduced—

S. F. No. 1955: 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.

Messrs. Milton and Keefe, J. introduced—

S. F. No. 1956: A bill for an act relating to nursing homes;

providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256.12, Subdivision 19; 256B.02, Subdivision 2; 256B.30; 256D.-18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1957: A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapter 256B, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1958: A bill for an act relating to medical assistance for the needy; directing the commissioner of public welfare to identify and investigate certain medical assistance abuses; requiring certain reports; amending Minnesota Statutes 1974, Section 256B.04, Subdivision 5, and by adding subdivisions.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1959: A bill for an act relating to nursing homes; establishing an office of nursing home complaints; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, J.; Lewis and Milton introduced—

S. F. No. 1960: A bill for an act relating to health care; clari-

fyng and expanding the patients' bill of rights; requiring certain notices; providing penalties; amending Minnesota Statutes 1974, Sections 144.651 and 144.652.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton, Mrs. Brataas and Mr. Lewis introduced—

S. F. No. 1961: A bill for an act relating to the elderly; establishing a state policy for older citizens dependent on long-term care and treatment.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, A. G. and Hansen, Baldy introduced—

S. F. No. 1962: A bill for an act relating to game and fish; commercial fishing on Rainy Lake and Lake of the Woods; amending Minnesota Statutes 1974, Section 102.26, Subdivision 2.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Gearty introduced—

S. F. No. 1963: A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, constitutional officers, judges and judicial branch employees; limiting possible increases for certain executive branch employees; requiring political subdivisions of the state to report certain salaries; providing for a report by the personnel board; amending Minnesota Statutes 1974, Sections 15A.081, by adding a subdivision; 15A.083, as amended; 43.062, Subdivision 3; 43.067; and 43.069; and Chapter 43, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; and 487.05.

Referred to the Committee on Governmental Operations.

Messrs. Anderson, Sillers and Hughes introduced—

S. F. No. 1964: A bill for an act relating to education; expanding reimbursement program for community school programs; authorizing state reimbursement for programs for children in state institutions; appropriating money; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 2; and 124.32, Subdivision 3a; repealing Minnesota Statutes 1974, Section 275.39.

Referred to the Committee on Education.

Messrs. Gearty and Olhofft introduced—

S. F. No. 1965: A bill for an act relating to public health;

providing for care, medical treatment, and legal rights of live births resulting from abortions.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Hansen, Baldy introduced—

S. F. No. 1966: A bill for an act relating to agriculture; removing the exemption from corporate farming restrictions for certain agricultural land used for asparagus growing operations; amending Minnesota Statutes, 1975 Supplement, Section 500.24, Subdivision 2.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Wegener, Dunn and Olson, A. G. introduced—

S. F. No. 1967: A bill for an act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

Referred to the Committee on Judiciary.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Volk, Kahn and Searle.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 2, 1976

Mr. President:

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

Senate Concurrent Resolution No. 9: A senate concurrent resolution relating to joint rules; providing deadlines for committee reports; amending Joint Rule 20.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 3, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 238, 681, 753, 945, 1078, 1880 and 1977.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 2, 1976

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1895.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 4, 1976

FIRST READING OF HOUSE BILLS

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

H. F. No. 238: A bill for an act relating to game and fish; restrictions upon the taking of pheasants; amending Minnesota Statutes 1974, Sections 100.27, Subdivision 5; and 100.28, Subdivision 2.

Referred to the Committee on Rules and Administration.

H. F. No. 681: A bill for an act relating to agricultural societies; prohibiting the exclusion of an agricultural society from certain appropriations unless the society is named in the appropriation.

Referred to the Committee on Finance.

H. F. No. 753: A bill for an act relating to game and fish; prohibiting taking of birds by certain methods; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 945: A bill for an act relating to employment services; unemployment compensation; excluding and exempting family farm corporation officers from certain provisions; amending Minnesota Statutes 1974, Section 268.04, Subdivision 12, and by adding a subdivision.

Referred to the Committee on Labor and Commerce.

H. F. No. 1078: A bill for an act relating to real estate; requiring certain real estate developers to comply with trust account requirements; amending Minnesota Statutes, 1975 Supplement, Section 82.18.

Referred to the Committee on Rules and Administration.

H. F. No. 1880: A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 1977: A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

Referred to the Committee on Rules and Administration.

H. F. No. 1895: A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1974, Section 169.67, Subdivision 3.

Referred to the Committee on Transportation and General Legislation.

REPORTS OF COMMITTEES

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

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 25: A bill for an act relating to housing; providing warranties on the sale of new housing upon the seller.

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

Strike the amendment adopted by the Senate May 19, 1975

Page 4, after line 28, insert:

“Subd. 2. At the time of entering into the contract, the vendee may waive warranty rights for mutually known defects provided

- (1) the waiver is in writing signed by both the vendor and vendee;
- (2) the defect waived is specifically and precisely described; and
- (3) the waiver of liability shall extend only to the defect as described.”

Renumber the subdivisions in sequence

Page 5, line 4, after “to” insert “the lesser of”

Page 5, line 10, strike “WARRNATIES” and insert “WARRANTIES”

Page 5, line 24, strike "applies to"

Page 5, line 25, strike "dwellings as defined in" and insert "conflicts with"

Page 5, line 27, strike "1976" and insert "1977"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 550: A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

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

Page 2 and 3, strike all of section 4

Renumber the sections in sequence

Page 3, line 16, before the period insert ", but shall not be construed to have any effect on actions already commenced"

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

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1841: A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

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

Page 2, line 19, strike "One copy" and insert "Copies"

Page 2, line 21, after "cost" insert ", and copies shall be available at the office of secretary of state for viewing by interested persons"

Page 2, after line 21, insert the following paragraph:

"As used in this section, vacancies and vacant agency positions shall also include new positions created by law or by the action of the governor, an agency head or another agency. The provisions of subdivisions 2 to 4 shall not apply to a position which is held by a person solely because of his position or title."

Page 4, after line 23, insert:

"If the secretary of state determines that a vacant agency position was filled contrary to the procedures specified in this section, he shall immediately inform the chairman of the agency

and the appointing authority that the position is again vacant. The position shall be refilled consistent with subdivisions 2 to 4."

Page 4, strike lines 29 to 30

Page 4, line 31, strike "(c)" and insert "(b)"

Page 5, line 1, after the semicolon insert "and"

Page 5, line 2, strike "(d)" and insert "(c)"

Page 5, line 4, strike "(1)"

Page 5, line 5, strike ", (2) applicants for the vacant positions,"

Page 5, line 5, strike "(3)"

Page 5, line 6, strike "; and"

Page 5, strike lines 7 to 10

Page 5, line 11, strike everything before the period

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

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1849: A bill for an act relating to the legislature; creating a legislative commission on housing and community development; prescribing its powers and duties; requiring a report and budget estimate; and appropriating money.

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

Page 2, line 31, strike "joint"

Page 2, line 32, strike "committee" and insert "commission"

Strike section 3 on pages 3 and 4 and renumber the remaining section

Page 4, line 4, strike "1979" and insert "1981"

Further amend the title as follows:

Line 5, strike "; and"

Line 6, strike "appropriating money"

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. 1852: A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

Reports the same back with the recommendation that the bill

do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1840: A bill for an act relating to the operation of government; changing the qualification for community school programs aid and for certain proceeds of the supplementary tax on taconite and iron sulphides; clarifying the provisions for certain reductions of foundation aid; sanctioning the reduction of certain levies and authorizing certain transfers of funds; amending Minnesota Statutes, 1975 Supplement, Sections 124.271, Subdivision 1; and 298.244, Subdivision 1.

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

Page 2, line 11, after "*than*" insert "*105 percent of*"

Page 2, line 14, strike "*124.564*" and insert "*475.61*"

Page 2, line 18, after "*than*" insert "*105 percent of*"

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. 1570: A bill for an act relating to insurance; providing that the same priorities of security for payment of basic economic loss benefits apply to commercial vehicles as to other motor vehicles under the Minnesota no fault insurance act; amending Minnesota Statutes 1974, Section 65B.47, Subdivision 4; repealing Minnesota Statutes 1974, Section 65B.47, Subdivisions 1, 2 and 3.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 65B.47, Subdivision 1, is amended to read:

65B.47 [PRIORITY OF APPLICABILITY OF SECURITY FOR PAYMENT OF BASIC ECONOMIC LOSS BENEFITS.] Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle *other than a vehicle being used to transport children to school or to a school sponsored activity*, if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic economic loss benefits is the security covering the vehicle, or, if none, the security under which the injured person is an insured."

Further, amend the title as follows:

Page 1, line 4, strike "*commercial*" and insert "*school buses*"

Page 1, line 5, before "*as*" strike "*vehicles*"

Page 1, line 5, strike "other" and insert "non-commercial"

Page 1, strike lines 8 and 9, and insert "Subdivision 1."

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. 525: A bill for an act relating to the legislature; establishing the Minnesota job and business climate interim study commission; appropriating money.

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

Strike everything after the enacting clause and insert:

"Section 1. [MINNESOTA JOB AND BUSINESS CLIMATE INTERIM STUDY COMMISSION.] Subdivision 1. A commission is hereby created to study and consider Minnesota's job and business climate.

Subd. 2. The commission shall consist of three members of the house of representatives appointed by the speaker, three members of the senate appointed by the senate committee on committees, the commissioner of economic development and eight interested citizens, including the chairman, appointed by the governor. The eight citizen members appointed by the governor should include a representative of an industrial or business firm employing less than 100 people; a representative of an industrial or business firm employing 100 to 1,000 workers; a representative of an industrial or business firm employing over 1,000 workers; a representative of agri-business; two representatives from organized labor; and one farmer owner operator and one citizen at large. It is the intent of this act, in the appointment of such citizen members, that consideration be given to representation from a variety of types of business organizations, as well as broad geographic representation.

Subd. 3. The commission shall study all matters relating to Minnesota's job and business climate, including but not limited to matters of taxation, pollution control, environmental regulation, energy consumption and supply, transportation, incentives for development of new industry and jobs, labor relations, and the activities of the department of economic development.

Subd. 4. The commission may act from the time its members are appointed until the commencement of the next regular session of the legislature. It shall report its findings and recommendations to the legislature not later than November 15, 1976, and may supplement them thereafter until January 15, 1977.

Subd. 5. The commission may hold meetings and hearings at the times and places it designates to accomplish the purposes set forth in this act, and may subpoena witnesses and records. It shall select

a vice chairman, and other officers from its membership as it deems necessary.

Subd. 6. Members of the commission except the commissioner and house and senate members shall receive \$35 for each day that the commission meets and shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties. The commission may purchase supplies, hire employees, and do all things reasonably necessary and convenient to carry out the purposes of this act. The commission shall use the available facilities and personnel of the legislature and the revisor of statutes unless the commission by resolution determines a special need or reason exists for the use of other facilities or personnel. Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees.

Subd. 7. There is appropriated from the general fund the sum of \$75,000, or as much thereof as may be necessary, to pay the expenses incurred by the commission. Expenses of the commission shall be approved by the chairman or another member as the rules of the commission provide and paid in the same manner that other state expenses are paid.

Sec. 2. This act is effective the day after final enactment and shall be in effect until December 31, 1977."

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

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

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.

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

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

S. F. No. 1644: A bill for an act relating to public welfare; establishing a senior companion pilot program; appropriating funds.

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

Strike everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 and 2 may be cited as the "Minnesota Senior Companion Act".

Sec. 2. [SENIOR COMPANION PROGRAM; ESTABLISHMENT.] Subdivision 1. [SENIOR COMPANIONS.] There is established a senior companion program to engage the services of low income persons aged 60 or over to provide supportive person

to person assistance in health, education, welfare and related fields primarily to handicapped adults and elderly people living in their own homes. Senior companions may also be used to provide such services to handicapped adults and elderly persons living or receiving care in resident group homes for dependent and neglected persons, nursing homes, private homes, or other public or private nonprofit institutions or agencies providing care for handicapped adults or elderly persons.

Subd. 2. [COMPENSATION.] Persons serving as senior companions shall be compensated for no more than 20 hours per week at an hourly rate not to exceed the rate established under the Older Americans Act. In addition, senior companions shall receive such other assistance as the Minnesota board on aging may prescribe. No person serving as a senior companion shall be terminated as a result of a change in the eligibility requirements set by the Minnesota board on aging, nor as a result of a change in his income, marital status, or number of dependents.

Subd. 3. [GRANTS.] The Minnesota board on aging may make grants-in-aid for the purchase of senior companion services by nonprofit agencies and institutions and individuals who have access to or responsibility for handicapped adults and the elderly. Applications to provide senior companion services to individuals in their homes shall have priority over applications to provide services to individuals living in group homes, nursing homes, or other institutions. Applications for grants shall be made on forms prescribed by the Minnesota board on aging.

Grants shall be paid as follows: ninety percent of the program expenditures authorized by the Minnesota board on aging shall be paid by the state and ten percent shall be paid by local matching funds. Grants shall be for a period of 12 months or less. Grants shall not be used to match other state funds nor shall any person paid from grant funds be used to replace any staff members of the grantee. Each grantee shall file a semiannual report with the Minnesota board on aging at the time and containing the information as the council shall prescribe.

Subd. 4. [RULES.] The governor's citizens council on aging shall promulgate rules necessary to implement the provisions of this act and may employ necessary assistance in performing its administrative duties. Rules adopted shall be consistent with applicable federal guidelines.

Sec. 3. [APPROPRIATION.] There is appropriated from the general fund to the Minnesota board on aging in the department of public welfare the sum of \$250,000 for the biennium ending June 30, 1977, for the purposes of this act.

Sec. 4. This act shall be effective July 1, 1976."

Amend the title as follows:

Page 1, line 3, strike "pilot"

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

Mr. Davies from the Committee on Judiciary, to which was referred

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.

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

Page 2, after line 2, insert:

"Sec. 3. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1905: A bill for an act relating to evidence; limiting use of certain kinds of records of legislative proceedings.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1839: A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1825: A bill for an act relating to crimes; prohibiting altering or removing a manufacturer's identification mark on personal property; providing penalties; amending Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2; repealing Minnesota Statutes 1974, Section 609.655.

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. 1493: A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1974, Sections 97.40, Subdivision 27; 97.45, Subdi-

vision 15; 97.55, Subdivision 13; 98.46, Subdivisions 5 and 17; and 101.42, Subdivisions 5 and 6.

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

Page 2, line 20, strike "10" and insert "11"

Page 3, line 6, strike "1974" and insert ", 1975 Supplement"

Page 3, after line 28, insert "(7) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$25;"

Page 3, line 29, strike "(7)" and insert "(8)"

Page 3, line 32, strike "(8)" and insert "(9)"

Page 4, line 2, strike "(9)" and insert "(10)"

Page 4, line 6, strike "(10)" and insert "(11)"

Page 7, line 2, strike "1976" and insert "1977"

Amend the title as follows:

Line 6, strike "Subdivisions 5 and" and insert "Subdivision"

Line 6, after the semicolon, strike "and"

Line 7, before the period, insert "; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5"

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. 1816: A bill for an act relating to game and fish; authorizing a season on fishers and additional moose seasons; amending Minnesota Statutes 1974, Section 100.27, Subdivisions 1, 2, as amended, and 4.

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

Page 1, strike lines 7 to 12

Page 1, line 13, strike "Sec. 2" and insert "Section 1"

Page 1, line 13, strike "1974" and insert ", 1975, Supplement"

Page 1, line 14, strike "as amended by Laws 1975, Chapter 167, Section"

Page 1, line 15, strike "4,"

Page 2, strike lines 21 to 32

Page 3, strike lines 1 to 23

Amend the title as follows:

Line 2, strike "a season on"

Line 3, strike "fishers and"

Line 4, strike "1974" and insert ", 1975 Supplement"

Strike line 5 and insert "Subdivision 2."

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. 692: A bill for an act relating to Scott county; appropriating funds to the Scott county historical society for completion of the Minnesota Valley restoration project.

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

Page 1, line 6, strike "SCOTT COUNTY HISTORICAL SOCIETY,"

Page 1, line 8, strike "Scott County" and insert "Minnesota State"

Page 1, line 10, strike "completion of" and insert "granting funds to"

Page 1, line 10, after "project" insert "for completion of the restoration project"

Amend the title as follows:

Line 2, strike "Scott county" and insert "historical restoration"

Line 3, strike "Scott county" and insert "Minnesota state"

Line 3, after "society" insert "to provide a grant"

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

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

S. F. No. 1590: A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; amending Minnesota Statutes 1974, Section 204.18, by adding a subdivision.

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

Page 1, line 8, strike "1974" and insert ", 1975 Supplement"

Page 1, line 8, strike "204.18" and insert "204A.46"

Page 1, line 12, after "the" insert "form and"

Page 1, line 15, after the period insert: "*Notwithstanding the provisions of sections 206.185, subdivision 5, and 206.21, subdivisions 1 and 2, precinct summary statements shall be submitted by the election judges in every precinct.*"

Page 1, after line 15, insert:

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 204A.51, is amended to read:

204A.51 [COUNTY CANVASSING BOARD.] Subdivision 1 [MEMBERSHIP.] The county canvassing board shall consist of the county auditor, the clerk of the district court, two members of the county board to be selected by the board from among its members who are not candidates for nomination or election to any office, and the mayor or president of the most populous municipality in the county. If any of these persons fail or refuse to serve on the canvassing board and in the absence of any selection by the county board from among its own members, the county auditor shall appoint a qualified voter of the county who may not hold or be a candidate for any public office, to take the place of the person on the canvassing board. Three members shall constitute a quorum and when sworn shall have the power to act.

Subd. 2. [COUNTY CANVASS, PRIMARY ELECTION INFORMATION REQUIRED.] The board shall meet at the auditor's office at 10:00 a.m. on or before the third day after the primary election, take the oath of office, and publicly canvass the returns of the election made to the county auditor. The board shall complete the canvass by the evening of the sixth day following the election, and it shall forthwith make the following report and file the same with the county auditor:

(a) A statement for each political party showing the names of all candidates thereof voted for at the primary election, the number of votes received by each, in each precinct and in the county, and for what office;

(b) A statement showing the names of candidates of each political party who are nominated;

(c) A statement of the total number of persons who voted at the election in the county, and in each precinct, and the number of ballots counted in each precinct, and in the county; and

(d) *A statement of the number of persons registering to vote on election day and the number of persons registered prior to election day; and*

~~(d)~~ (e) A statement of the votes received by each of the non-partisan candidates in each precinct in the county and the names of the nonpartisan candidates nominated. If any candidates receive an equal number of votes for the same nomination, the canvassing board shall determine the tie by lot. Upon completion of the canvass, the county auditor shall forthwith certify to the secretary of state the vote, as shown by the report of the county canvassing board, for all candidates to be voted for in more than one county, and he shall mail or deliver to each nominee who is to be

voted for in his county only, a notice of his nomination and that his name will be placed upon the general election ballot.

If the difference between the votes of two or more candidates for legislative office which lies within a single county is 100 or less and the difference determines one or more nominations, the canvassing board shall recount the votes. A recount shall not delay any other part of the report of the board and shall be reported and certified as soon as possible. Time for notice of a contest of an election which is recounted shall begin to run upon completion of the recount and canvass for that office.

Subd. 3. [COUNTY CANVASS, GENERAL ELECTION, INFORMATION REQUIRED.] The canvassing board shall meet at the auditor's office on or before the third day after the general election, take the oath of office, and publicly canvass the returns of the general election made to the county auditor. The board shall complete the canvass without unnecessary delay, and it shall forthwith make the following report and file the same with the county auditor:

(a) A statement of the number of persons who voted at the election in each precinct in the county and the total number of persons who voted at the election in the county; and the number of white, pink, and canary ballots counted in each precinct in the county, and the total number of white, pink, and canary ballots counted in the county;

(b) *A statement of the number of persons registering to vote on election day and the number of persons registered prior to election day;*

~~(b)~~ (c) A statement of the names of all candidates for state offices, representatives and senators in the legislature, representatives and senators in congress, judges of the district court, and county offices; and the number of votes received by each in each precinct and in the whole county;

~~(e)~~ (d) A statement of the total number of votes counted for and against any proposed change of county lines or county seat; and

~~(d)~~ (e) A statement of the number of votes counted for and against any constitutional amendment or other proposition in any precinct, and the total number of votes counted therefor in the county.

If the difference between the votes of the candidates for legislative office which lies within a single county is 100 votes or less the canvassing board shall recount the votes. A recount shall not delay any other part of the report of the board and shall be reported and certified as soon as possible. Time for notice of a contest of an election which is recounted shall begin to run upon completion of the recount and canvass for that office.

In case of a tie, the canvassing board shall determine the results by lot. Upon completion of the canvass, the board shall declare the person receiving the highest number of votes for each county

office duly elected thereto; and when the county constitutes or contains a senatorial or representative district in the legislature, it shall declare the person receiving the highest number of votes for each office in the legislature duly elected.

Subd. 4. [COUNTY CANVASS, RETURNS, TO SECRETARY.] Two copies of each of the statements required in this section shall be made and certified under the official seal of the auditor; each enclosed in an envelope directed to the secretary of state, with the auditor's name and official address and the words, "Election Returns," endorsed thereon, and forwarded by different mails ~~within five days of each other~~. If neither copy is received by the secretary of state within 20 days after the election, he shall immediately notify the auditor of that fact, and the auditor shall transmit another copy thereof to the secretary by special messenger deputed by him."

Further amend the title as follows:

Page 1, line 4, after "returns;" insert "requiring certain information in returns and canvasses; and imposing certain duties on canvassing officers;"

Page 1, line 5, strike "1974, Section 204.18" and insert ", 1975 Supplement, Sections 204A.46"

Page 1, line 6, before the period insert "; and 204A.51"

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

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

S. F. No. 1273: A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter registration campaigns; amending Minnesota Statutes 1974, Section 211.27, by adding a subdivision.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 210A.34, is amended by adding a subdivision to read:

Subd. 5. As used in this section, the phrase "contribution or expenditure" shall not include the following activities of a civic or political nature by a corporation doing business in Minnesota, or be deemed to prohibit contributions or expenditures incidental or reasonably necessary or appropriate to such activities:

(a) Non-partisan voter registration and campaigns to encourage individuals to vote.

(b) Providing or affording access to corporate premises by political parties, organizations, political committees or candidates, or proponents or opponents of particular action on public issues, for the purpose of permitting expression of their views, distribu-

tion of literature, or other political activities; provided, however, that the affording or withholding of access to its premises for any political purpose shall be at the sole option and discretion of the corporation and subject to its reasonable regulation; and provided further, that in the event a corporation does elect to permit the use of its premises for political purposes, it shall do so on a basis which provides equal opportunity to and without the purpose or probable effect of favoring any political party, political committee, candidate, or position on a public issue over another.

Sec. 2. Minnesota Statutes 1974, Section 10A.02, Subdivision 12, is amended to read:

Subd. 12. The commission may issue and publish advisory opinions on the requirements of sections 10A.01 to 10A.34 and 210A.34 based upon real or hypothetical situations. An application for an advisory opinion may be made only by those who wish to use the opinion to guide their own conduct. The commission shall issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the commission agrees to extend the time limit.

Sec. 3. *This act is effective on the day following final enactment.*"

Amend the title as follows:

Page 1, line 4, after "campaigns" insert "and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions."

Page 1, line 5, strike "211.27" and insert "10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34"

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

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

H. F. Nos. 238 and 1078 for proper reference, recommends the above House Files be re-referred to their respective Committees as follows:

H. F. No. 1078 to the Committee on Judiciary.

H. F. No. 238 to the Committee on Natural Resources and Agriculture.

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. 550, 1841, 1849, 1852, 1840, 1570, 1796, 1794, 1905, 1839, 1825, 1493, 1816, 1590 and 1273 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 25 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Gearty moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1878. The motion prevailed.

Mr. Sillers moved that the name of Mr. Humphrey be added as co-author to S. F. No. 1896. The motion prevailed.

Mr. Purfeerst moved that H. F. No. 1026 be taken from the table and referred to the Committee on Finance. The motion prevailed.

Mr. Gearty moved that the name of Mr. Ueland be added as co-author to S. F. No. 1794. The motion prevailed.

S. F. No. 22 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 22

A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

February 3, 1976

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 22 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S. F. No. 22 be further amended as follows:

Page 3, line 20, after "act" and before the period insert ", except that all school districts whose central administrative offices are within that ECSU whose boundaries coincide with those of development region 11 shall participate in the planning and planning research functions of that ECSU. No planning or planning research decision of that ECSU shall be binding on these region 11 districts"

Page 8, line 15, after "talents" insert "and special needs"

Page 10, line 22, strike "\$500,000" and insert "\$499,950"

Page 10, line 26, strike "\$30,000 per year" and insert "\$45,450"

Page 10, line 29, strike "annually"

Page 10, line 29, strike "\$55,000," and insert "\$90,900."

Page 10, strike lines 30 to 32

Page 11, strike line 1

The amendment to S. F. No. 22 adopted May 19, 1975, by

the House of Representatives adding a section be amended by adding a subdivision after subdivision 4 to read:

“Subd. 5. The council shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.”

Further, renumber the subdivisions accordingly

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

Senate Conferees: (Signed) Jerome M. Hughes; Douglas H. Sillers and Jerald C. Anderson

House Conferees: (Signed) Russell P. Stanton; Fred C. Norton and Ted Suss

Mr. Hughes moved that the foregoing recommendations and Conference Committee Report on S. F. No. 22 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

And the roll being called, there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Knutson and Schrom voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Moe moved that the report from the Committee on Natural Resources and Agriculture, reported January 29, 1976, pertain-

ing to appointments, be taken from the table. The motion prevailed.

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

Mr. Ueland requested division of the appointments with respect to Mr. Peter L. Gove. So the question was divided.

CONFIRMATION

Mr. Moe moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported January 29, 1976, the Senate, having advised with, do now consent to and confirm the appointment of:

EXECUTIVE DIRECTOR OF THE MINNESOTA POLLUTION CONTROL AGENCY

Peter L. Gove, 339 East 43rd Street, Minneapolis, Hennepin County, effective June 25, 1975, for a term expiring January 1, 1979.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 57 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brown	Keefe, J.	Knutson	McCutcheon	Ueland
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The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Moe moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported January 29, 1976, the Senate, having advised with, do now consent to and confirm the appointment of:

DIRECTOR OF THE MINNESOTA ENERGY AGENCY

John P. Millhone, 761 Lincoln Avenue, St. Paul, Ramsey County, effective September 1, 1975, for a term expiring January 1, 1979.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 645 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Anderson moved that the recommendations and Conference Committee Report as printed in the Journal January 27, 1976 on H. F. No. 645 be now adopted, and that the bill be re-passed as amended by the Conference Committee.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 41 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Olson, A. G.	Spear
Arnold	Hughes	Lewis	Olson, J. L.	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Stumpf
Coleman	Josefson	Merriam	Pillsbury	Tennessee
Conzemius	Keefe, S.	Milton	Purfeerst	Wegener
Davies	Kirchner	Moe	Schaaf	
Doty	Kleinbaum	Nelson	Schmitz	
Dunn	Knutson	North	Sillers	
Fitzsimons	Kowalczyk	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Borden	Hansen, Mel	O'Neill	Willet
Bang	Brataas	Hanson, R.	Patton	
Berg	Brown	Jensen	Renneke	
Bernhagen	Chmielewski	Larson	Schrom	
Blatz	Hansen, Baldy	Olhoft	Stassen	

The motion prevailed. So the recommendations and Conference Committee Report were 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.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

And the roll being called, there were yeas 53 and nays 14, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Brown	Jensen	Patton	Stassen
Berg	Chmielewski	Larson	Renneke	Willet
Bernhagen	Hansen, Baldy	Olhoft	Schrom	

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that the name of Mr. North be added as co-author to S. F. No. 1956. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 53, 1805, 1736 and 687, also H. F. Nos. 718 and 1145, which the committee recommends to pass.

And then, on motion of Mr. Blatz, 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 11:45 o'clock a.m., Monday, February 9, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate