

## EIGHTY-FOURTH DAY

St. Paul, Minnesota, Monday March 8, 1976

The Senate met at 11:30 o'clock a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Arnold	Conzemius	Jensen	North	Renneke
Bang	Davies	Keefe, S.	Ogdahl	Schmitz
Berg	Doty	Kirchner	Olhoft	Schrom
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Spear
Brown	Gearly	Larson	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	McCutcheon	Perpich, G.	Willet
Chmielewski	Hansen, Mel	Merriam	Pillsbury	
Coleman	Hanson, R.	Milton	Purfeerst	

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

Prayer was offered by the Chaplain, Rabbi Harold Schechter.

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

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

The President declared a quorum present.

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

## MEMBERS EXCUSED

Mr. Fitzsimons was excused from the Session of today. Messrs. Ashbach, Humphrey, Knutson, Stumpf and Ueland were excused from the early part of today's Session.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

March 5, 1976

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 869, 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.

S. F. No. 1551, An act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

Sincerely,  
Wendell R. Anderson, Governor

March 8, 1976

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 570, An act relating to taxation; increasing the income tax deduction for dependents' school expenses; amending Minnesota Statutes 1974, Section 290.09, Subdivision 22.

S. F. No. 1816, An act relating to game and fish; authorizing additional moose seasons; amending Minnesota Statutes, 1975 Supplement, Section 100.27, Subdivision 2.

Sincerely,  
Wendell R. Anderson, Governor

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Milton, Humphrey and Schaaf introduced—

S. F. No. 2488: A bill for an act relating to public welfare; providing an alternative care program for elderly persons; authorizing payments to families with elderly dependents; providing for appeal of denial of application for aid; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Kowalczyk, Lewis and Blatz introduced—

S. F. No. 2489: A bill for an act relating to taxation; providing for a deduction from income for the cost of replacement of prohibited gas lamps; amending Minnesota Statutes 1974, Section 290.09, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

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

S. F. No. 2490: A bill for an act relating to commerce; regulating going out of business sales and certain other sales; providing a penalty.

Referred to the Committee on Labor and Commerce.

Messrs. Stassen, Conzemius and Ashbach introduced—

S. F. No. 2491: A bill for an act relating to the metropolitan transit commission; eliminating the authority of the commission to acquire an existing public transit system by condemnation; amending Minnesota Statutes, 1975 Supplement, Section 473.405, Subdivision 1.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Patton, Renneke and Ueland introduced—

S. F. No. 2492: A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Minnesota Statutes, 1975 Supplement, Section 356.26.

Referred to the Committee on Governmental Operations.

Mr. Nelson, Mrs. Brataas and Mr. Stassen introduced—

S. F. No. 2493: A bill for an act relating to meetings of state agencies and of governing bodies open to the public; requiring the state ethics commission to hear alleged violations of open meeting law requirements and to refer any charged violation for which it finds probable cause to the appropriate county attorney for possible criminal prosecution; prescribing penalties; amending Minnesota Statutes 1974, Section 471.705, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Nelson, Pillsbury and O'Neill introduced—

S. F. No. 2494: A bill for an act relating to meetings of official bodies; extending the open meeting law to the legislature;

amending Minnesota Statutes 1974, Section 471.705, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Nelson, Milton and Ashbach introduced—

S. F. No. 2495: A resolution urging Congress to enact a federal block grant combining existing federal programs.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Nelson, Stassen and Ashbach introduced—

S. F. No. 2496: A bill for an act relating to education; school aids; creating a legislative school finance study commission; appropriating money.

Referred to the Committee on Education.

Messrs. Bang, Larson and Stassen introduced—

S. F. No. 2497: A bill for an act relating to commerce; regulating securities trading; amending Minnesota Statutes, 1975 Supplement, Section 80A.14.

Referred to the Committee on Labor and Commerce.

Mr. Josefson introduced—

S. F. No. 2498: A bill for an act relating to state fire and police aid; amending Minnesota Statutes 1974, Sections 69.011, Subdivisions 1, 2, and 4; 69.021, Subdivisions 4, 5, 6, 7, and 9; 69.031, Subdivisions 4 and 5; 69.051, Subdivisions 1 and 4; and 69.774, Subdivisions 1 and 2; repealing Minnesota Statutes 1974, Sections 69.051, Subdivision 3; and 69.33.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf, Spear and Chenoweth introduced—

S. F. No. 2499: A bill for an act relating to solid waste control; imposing an assessment on certain procedures of solid waste materials; creating a fund from the proceeds of the assessment to use for resource recovery programs; requiring retailers to offer beverages for sale in returnable containers; providing for price information disclosures; providing penalties; appropriating money.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Conzemius and Laufenburger introduced—

S. F. No. 2500: A bill for an act relating to environmental pro-

tection; limiting the sale and use of organic compounds known as polychlorinated biphenyls; permitting exemptions; requiring labels; defining terms; providing a penalty.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Solon introduced—

S. F. No. 2501: A bill for an act relating to Independent School District No. 710; providing for the establishment of separate election districts for each high school attendance district.

Referred to the Committee on Education.

Messrs. O'Neill, Stumpf and Ashbach introduced—

S. F. No. 2502: A bill for an act relating to Ramsey county and St. Paul-Ramsey hospital.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Milton, Lewis and Humphrey introduced—

S. F. No. 2503: A bill for an act relating to public welfare; removing certain day care and residential facilities from the provisions of the Minnesota certificate of need act; amending Minnesota Statutes 1974, Chapter 145, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 145.72, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton introduced—

S. F. No. 2504: A bill for an act relating to health; requiring certain health care facilities to establish grievance procedures; mandating study of in-service education; requiring insurers to report malpractice claims made against facilities; authorizing the board of health to collect and review information.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton and Olhoft introduced—

S. F. No. 2505: A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Tennesen introduced—

S. F. No. 2506: A bill for an act relating to public welfare;

establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lewis and Milton introduced—

S. F. No. 2507: A bill for an act relating to human rights; changing duties of commissioner; increasing penalties; amending Minnesota Statutes 1974, Sections 363.05, Subdivision 1; 363.06, Subdivision 5; 363.071, Subdivision 2; and 363.14, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Willet, Stumpf and Schrom introduced—

S. F. No. 2508: A bill for an act relating to taxation; providing for a refund of certain amounts of taxes paid for the 1975 taxable year; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Mr. Purfeerst introduced—

S. F. No. 2509: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature and agricultural interpretative center.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Frederick introduced—

S. F. No. 2510: A bill for an act relating to natural resources; authorizing the designation of the Zumbro river as a canoe and boating route; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, A. J. introduced—

S. F. No. 2511: A bill for an act relating to taxation; providing for taxation of property owned or operated by nonprofit group health organizations providing dental care; amending Minnesota Statutes, 1975 Supplement, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of the report on S. F. No. 2342, be now adopted. The motion prevailed.

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

S. F. No. 2152: A bill for an act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

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 re-referred

S. F. No. 1191: A bill for an act relating to Carlton County; authorizing the establishment of a human services board for Carlton county.

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. 2032: A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; naming a nonprofit corporation to administer programs; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

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

Page 1, line 11, strike "*Subdivision 1.*"

Page 1, line 12, strike "*, either separately or in conjunction with each other,*"

Page 1, line 13, after "*may*" insert "*individually or jointly*"

Page 1, line 13, strike "*rendering*" and insert "*to provide*"

Page 1, line 15, strike "*for*" and insert "*to*"

Page 1, line 16, strike "*in or outside of institutions*" and insert "*residing in those counties*"

Page 1, line 16, after "*The*" insert "*pilot*"

Page 1, line 18, strike "*have to*"

Page 1, line 18, strike "*take*" and insert "*use*"

Page 1, line 19, strike "*advantage of usual*" and insert "*currently available*"

Page 1, line 19, strike "*in order*" and insert "*and shall be designed*"

Page 1, line 21, strike "*need for*"

Page 1, strike lines 22 and 23

Page 2, strike lines 1 through 12

Page 2, line 14, strike "*department*" and insert "*commissioner*"

Amend the title as follows:

Page 1, strike line 4

Page 1, line 5, strike "*programs;*"

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

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

S. F. No. 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.

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

Page 1, line 17, strike "*finally*"

Page 1, line 19, strike "*has been found*" and insert "*submits to the state agency a claim for reimbursement, a cost report, or a rate application which he knows to be false in whole or in part*"

Page 1, line 20, strike "*guilty of a violation of section 4 of this act*"

Page 1, line 25, strike "*Any*" and insert "*No*"

Page 1, line 25, strike "*found*" and insert "*shall be declared*"

Page 1, line 25, after "*ineligible*" insert "*without prior notice and an opportunity for a hearing, pursuant to Minnesota Statutes, Chapter 15, on the commissioner's proposed action.*"

Page 2, strike lines 1 to 3 and insert:

"Sec. 2. Minnesota Statutes, 1975 Supplement, Section 256B.12, is amended to read:

256B.12 [LEGAL REPRESENTATION.] The attorney general or the appropriate county attorney appearing at the direction of the attorney general shall be the attorney for the state agency, and the county attorney of the appropriate county shall be the attorney for the local agency in all matters pertaining hereto. *To prosecute under this chapter or sections 5 and 6 of this act, or to recover payments wrongfully made under this chapter, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general may institute a criminal or civil action.*"

Page 2, line 12, after "*operations*" insert "*or of medical care provided which are*"



Page 2, line 13, strike "nursing homes" and insert "vendors of medical care"

Page 2, line 14, after "rates" insert "or reimbursement"

Page 2, line 14, strike "subscribed and sworn to" and insert "submitted under oath as to the truthfulness of their contents"

Page 2, line 14, after "by" insert "the vendor or"

Page 2, line 15, strike "owner of the nursing home" and insert "vendor"

Page 2, line 16, strike "shall be" and insert "may have"

Page 2, line 17, strike "allowed"

Page 2, line 17, strike "all"

Page 2, line 18, after "recipients" insert "only with the written consent of the recipient who is the subject of the records or his guardian, if one has been appointed. Such consent may not be a condition of eligibility for medical assistance under this chapter. Access to the records shall be"

Page 2, line 18, strike "determining" and insert "investigating"

Page 2, line 22, strike "violated section 4 of this act." and insert "submitted a claim for reimbursement, a cost report, or a rate application which he knows to be false in whole or in part. To the extent feasible, the commissioner shall contract with a review organization, as defined in Minnesota Statutes, Section 145.61, in determining whether or not the medical care provided was medically necessary. Access to the medical records of medical assistance recipients solely for the purposes specified under this subdivision shall not affect the status of the records as confidential records within the meaning of Minnesota Statutes, Section 15.162, subdivision 2a."

Page 2, strike lines 23 to 26

Page 2, line 30, after "report" insert ". rate application"

Page 2, line 31, after "which" insert "the vendor knows"

Page 3, line 5, strike "fraudulent"

Page 3, line 5, strike "received" and insert "which resulted from the false representation,"

Page 3, after line 7, insert:

"Sec. 5 Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.466] [MEDICAL ASSISTANCE FRAUD.] Any person who, with the intent to defraud, presents a claim for reimbursement, a cost report or a rate application, relating to the payment of medical assistance funds pursuant to Minnesota Statutes, Chapter 256B, to the state agency, which is false in whole or in part, is guilty of an attempt to commit theft of public funds and may be sentenced accordingly."

Page 4, line 9, after " a " insert " *claim for reimbursement, a rate application, or a* "

Page 4, line 10, strike " *services* " and insert " *care* "

Page 4, line 12, strike " *report* "

Page 4, line 12, after " *intentionally* " insert " *and* "

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 6, after the semicolon and before "amending" insert "providing for a penalty;"

Page 1, line 7, strike "Chapter" and insert "Chapters"

Page 1, line 8, after "256B" and before the comma insert: "and 609"

Page 1, line 8, strike "a section" and insert "sections"

Page 1, line 9, strike "Section" and insert "Sections 256B.12 and"

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

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

S. F. No. 60: A bill for an act relating to insurance; providing for the establishment and administration of plans of health insurance to provide certain minimum benefits to all persons in the state; creating a comprehensive health care association; providing a dual option for health care for certain employees; regulating health maintenance organizations' coverage of dental services and conversion privileges; appropriating money; amending Minnesota Statutes 1974, Section 62D.12, by adding subdivisions.

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

Page 3, line 12, strike "or"

Page 3, line 14, before the period insert " , or (5) *credit accident and health insurance issued pursuant to chapter 62B* "

Page 6, after line 26, insert:

"*Subd. 6. An insurer or fraternal may fulfill its obligations under this section by issuing the required coverages in their own name and pooling the risk of the coverages in the association in accordance with section 9, subdivision 5, clauses (e) and (f). Nothing in this section shall require an insurer or fraternal to offer or issue a policy to any person who does not meet the underwriting or membership requirements of the insurer or fraternal.*"

Page 12, after line 22, insert:

"*Subd. 5. [GENERAL POWERS.] The association may:*

(a) *Exercise the powers granted to insurers under the laws of this state;*

(b) *Sue or be sued;*

(c) *Enter into contracts with insurers, similar associations in other states or with other persons for the performance of administrative functions including the functions provided for in clauses (e) and (f);*

(d) *Establish administrative and accounting procedures for the operation of the association;*

(e) *Provide for the reinsuring of risks incurred as a result of issuing the coverages required by section 4 by members of the association. Each member which elects to reinsure its required risks shall determine the categories of coverage it elects to reinsure in the association. The categories of coverage are:*

(i) *Individual qualified plans, excluding group conversions;*

(ii) *Group conversions required by section 17;*

(iii) *Group qualified plans with fewer than 50 employees or members; and*

(iv) *catastrophic coverage required by section 4, subdivision 4.*

*A separate election may be made for each category of coverage. If a member elects to reinsure the risks of a category of coverage, it must reinsure the risk of the coverage of every life covered under every policy issued in that category. Members electing to administer the risks which are reinsured in the association shall comply with the benefit determination guidelines and accounting procedures established by the association. The fee charged by the association for the reinsurance of risks shall not be less than 110% of the total anticipated expenses incurred by the association for the reinsurance; and*

*(f) Provide for the administration by the association of policies which are reinsured pursuant to clause (e) of this subdivision. Each member electing to reinsure one or more categories of a qualified plan in the association may elect to have the association administer the categories of qualified plans on the member's behalf. If a member elects to have the association administer the categories of qualified plans, it must do so for every life covered under every policy issued in that category. The fee for the administration shall not be less than 110 percent of the total anticipated expenses incurred on behalf of the association for the administration."*

Page 19, line 6, strike "subdivisions" and insert "a subdivision"

Page 19, strike lines 14 through 24

Amend the title as follows:

Page 1, line 12, strike "subdivisions" and insert "a subdivision"

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. 2342: A bill for an act relating to public health; provid-

ing for a referendum to determine whether the fluoride in municipal water supplies should be controlled; amending Minnesota Statutes 1974, Section 144.145.

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

Page 2, strike lines 10 through 16, and insert

*"Subd. 2. The governing body of any municipality may, and upon a petition signed by voters equal in number to at least 15 percent of the electors voting at the last regular municipal election, shall submit to the voters at a regular or special election the question of whether the municipal water supply shall be fluoridated. The question submitted shall be worded substantially as follows:*

*"Shall the municipal water supply be fluoridated?"*

*The question shall be followed by the words "yes" and "no" with an appropriate square before each on which a voter may record his choice.*

*The clerk shall certify the results of the fluoridation referendum to the secretary of state and to the state board of health within ten days after the election.*

*If a majority of the votes cast on the question disapprove fluoridation, the person, firm, corporation, or municipality having jurisdiction over the municipal water supply shall cease to fluoridate the water within 20 days after certification of the results of the election by the clerk, and thereafter fluoridation of the water supply within the municipality shall not be permitted until the vote is reversed at a subsequent regular or special election at which the question of fluoridation is again and in like manner submitted. Once a fluoridation referendum has been held, the question may not be submitted to the electors within two years from the date the election was held."*

Amend the title as follows:

Page 1, line 3, strike "the fluoride in"

Page 1, line 4, strike "controlled" and insert "fluoridated"

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

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

S. F. No. 975: A bill for an act relating to counties; written notice of public hearings relating to planning and zoning activities; amending Minnesota Statutes 1974, Section 394.26, Subdivision 2.

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

Page 2, line 1, after "including" insert "*but not limited to*"

Page 2, line 1, after "variances" insert "*, zoning regulations.*"

Page 2, line 2, strike "subdivisions" and insert "*subdivision regulations*"

Page 2, line 3, strike the comma and reinstate the stricken language

Page 2, line 4, reinstate the stricken "areas"

Page 2, line 4, before "the" insert "*. In unincorporated areas, the written notice shall be sent to property owners as follows:*

*(a) In the case of variances, to owners of record within 500 feet of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners;*

*(b) In the case of conditional uses, to owners of record within one-quarter mile of the affected property or to the ten properties nearest to the affected property, whichever would provide notice to the greatest number of owners;*

*(c) In the case or all other official controls, including but not limited to zoning regulations and subdivision regulations, to owners of record within one-half mile of the affected property.*

*Written notice shall also be given to"*

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. 1812: A bill for an act relating to the county of Lake of the Woods; authorizing the county to acquire real estate for and establish and operate a television translator system either within or without the county.

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

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

S. F. No. 2284: A bill for an act relating to the counties of Nobles and Rock; authorizing the acquisition of real estate for the operation of television translator systems.

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. 2303: A bill for an act relating to public welfare; authorizing grants for community residential facilities for the cerebral palsied; appropriating money; amending Minnesota Statutes 1974, Section 252.30; and Chapter 252, by adding a section.

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

Page 1, line 15, strike "*persons who are mentally retarded*"

Page 1, line 16, strike "*or both*"

Page 1, line 16, restore the stricken "*persons*"

Page 2, line 19, strike "*treatment*"

Page 2, line 23, strike "*treatment*" and insert "*facilities*"

Page 2, line 27, strike "*treatment*"

Page 2, line 32, strike "*such a*" and insert "*the*"

Page 3, line 10, strike "*department*" and insert "*commissioner*"

Page 3, line 10, strike "\$ . . . . ." and insert "\$1,250,000"

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

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

S. F. No. 2270: A bill for an act relating to the Middle River-Snake River watershed district, providing for taxes.

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

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

S. F. No. 1579: A bill for an act relating to legal assistance; providing state aid to certain legal assistance corporations; 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. The sum of \$315,000 shall be appropriated to the commissioner of administration from the general fund for the purpose of assisting in the provision of criminal and juvenile defense to indigent individuals.

Sec. 2. The following sums shall be disbursed in the fiscal year ending June 30, 1977:

Duluth, \$100,000.

St. Paul, \$50,000.

Minneapolis, \$65,000.

Leech Lake, \$50,000.

White Earth, \$50,000.

Sec. 3. The sums appropriated by this act shall be distributed by the commissioner of administration in consultation with the attorney general to one non-profit criminal and juvenile defense corpora-

tion in each of the five named localities. Funds may not be disbursed to a corporation in the Leech Lake reservation area and the White Earth reservation area without prior approval by the respective reservation business committee. Funds shall be disbursed to those non-profit criminal and juvenile defense corporations designated by the commissioner of administration by July 1 of each year. The commissioner of administration shall give notice 30 days in advance and conduct a hearing if he has reasonable grounds to believe funds appropriated by this act are being improperly used, or, if in consultation with the attorney general, he has reasonable cause to believe criminal and juvenile defense of proper quality is not being supplied. Funds shall cease from the date of notice until either the commissioner determines that the funds appropriated by this act will be properly handled, or the commissioner, in consultation with the attorney general, determines that criminal and juvenile defense of proper quality will be provided. A participating corporation may give notice at any time of its withdrawal from this program of financial assistance."

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. 1874: A bill for an act relating to mortgages; legalizing certain foreclosure sales heretofore made and the records of all mortgage foreclosure proceedings.

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

Page 8, line 2, strike "heretofore" and insert "prior to the date specified in subdivision 2 of section 3"

Page 8, line 27, strike "August 1, 1976" and insert "the day after final enactment of this act"

Page 8, line 29, after "(5)," strike "August 1, 1976" and insert "the day after final enactment of this act"

Page 8, line 30, after "(8)," strike "August 1, 1976" and insert "the day after final enactment of this act"

Page 8, line 31, after "(a)," strike "August 1, 1976" and insert "the day after final enactment of this act"

Page 8, after line 31, insert:

"Subd. 2. The date of the report of sale to which section 2 applies is the day after final enactment of this act."

Renumber the subdivisions in sequence

Page 9, after line 4, insert:

"Sec. 4. This act is effective the day following its final enactment."

Amend the title as follows:

Page 1, line 3, strike "foreclosure" and insert "foreclosure"

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. 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.

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

Page 4, line 19, strike "*This act is effective the day following final*"

Page 4, strike line 20 and insert

"[EFFECTIVE DATE.] "*This act takes effect on August 1, 1976.*"

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. 2208: A bill for an act relating to courts; providing for continuous district court terms in all counties; providing that retired district court judges be reimbursed for expenses incurred while acting as district judges; authorizing additional power to judges of county court; requiring certain distributions of Minnesota Statutes and Session Laws; amending Minnesota Statutes 1974, Sections 484.08; 484.09, as amended; 484.11; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.62; 648.39, Subdivision 1; and Chapter 487, by adding a section; repealing Minnesota Statutes 1974, Section 490.025, Subdivision 8.

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

Page 1, after line 15, insert:

"Section 1. Minnesota Statutes 1974, Section 260.021, Subdivision 2, is amended to read:

Subd. 2. [JUVENILE COURT; HENNEPIN AND RAMSEY COUNTIES.] In *Hennepin and Ramsey county counties* the judges of the district court shall, at such times as they shall determine, designate one of their number to hear all cases arising under sections 260.011 to 260.301. This designation is for a period of ~~one year two years unless otherwise ordered~~. *No individual judge shall be so designated for consecutive periods* If the designated judge is absent or disabled, another judge shall be temporarily assigned for these purposes. The judge designated as the judge of juvenile court shall devote his first service and all necessary time



to the business of the juvenile court, and this work has precedence over all his other court work. When considered advisable, the district court judges may designate two or more judges for the purposes and subject to the provisions specified in this section. A special court room, designated as the juvenile court room, shall be provided for the hearing of these cases. The court, for convenience, may be called the juvenile court of the county."

Page 15, line 23, strike "*Each judge of a*" and insert:

*"The chief justice of the supreme court may temporarily assign a county court judge to hear a matter within the jurisdiction of the district court; the county court judge, so assigned, shall assume the powers of a district court judge for the duration of the assignment. The chief judge of district court in a judicial district may temporarily assign a county court judge in his district to hear a matter within the jurisdiction of the district court; the county court judge so assigned shall assume the powers of a district court judge for the duration of the assignment. Provided that no county court judge shall be assigned without his consent."*

Page 15, strike lines 24 to 32

Page 16, strike lines 1 to 2

Page 17, line 5, strike "*Section*" and insert "*Sections 260.021, Subdivision 3, and*"

Page 17, line 6, strike "*is*" and insert "*are*"

Page 17, after line 6, insert:

*"Sec. 14. [EFFECTIVE DATE.] This act is effective the day following its final enactment."*

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, after "*courts;*" insert "*changing the status of the Hennepin county juvenile court judge;*"

Page 1, line 9, after "*Sections*" insert "*260.021, Subdivision 2;*"

Page 1, line 14, strike "*Section*" and insert "*Sections 260.021, Subdivision 3; and*"

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. 2344: A bill for an act relating to motor vehicles; authorizing the issuance of temporary vehicle permits for certain specified purposes; amending Minnesota Statutes 1974, Sections 168.091, Subdivision 1; and 168.092, Subdivision 1.

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

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

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

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

Page 1, line 8, after "19B." insert:

"Sec. 2. All of the city of Ramsey is included in representative district 19A.

Sec. 3."

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. 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.

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

Page 1, line 7, strike "1974" and insert ", 1975 Supplement"

Page 1, line 8, strike "as amended by Laws 1975, Chapter 204, Section 94,"

Further, amend the title as follows:

Page 1, line 4, strike "1974" and insert ", 1975 Supplement"

Page 1, line 5, strike ", as amended"

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. 1957, 2216, and 116 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1957	2027				
2216	2432				
116	1313				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1957 be amended as follows:

Page 1, line 11, before "to" insert "by law"

Page 1, line 12, delete "any" and insert ", that"

And when so amended, H. F. No. 1957 will be identical to S. F. No. 2027 and further recommends that H. F. No. 1957 be given its second reading and substituted for S. F. No. 2027 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 116 be amended as follows:

Page 1, line 16, delete the comma

Page 1, delete line 17 and insert “; referral to”

Page 2, line 5, delete “Annually,” and after “shall” insert “annually”

Page 2, line 10, after “funds” insert “appropriated or granted to the board”

Page 2, line 14, delete “The board shall not”

Page 2, delete lines 15 to 24

Page 2, line 27, delete “, that” and insert “which”

Page 3, line 10, after “entity” insert a comma

Page 3, line 11, delete “the”

Page 3, line 12, delete “such”

Page 3, line 15, delete “through” and insert “by rules and”

Page 3, line 16, before “department” insert “U. S.”

Page 3, line 19, delete “and make recommendations”

Page 3, delete lines 20 and 21 and insert a period

Page 3, delete lines 23 and 24 and insert “regulations necessary to implement the provisions of this act.”

Renumber the subdivisions in order

Page 3, line 25, delete “department” and insert “commissioner”

Page 3, line 27, delete “county” and insert “local” and delete “departments” and insert “agencies”

Page 4, line 4, delete “the” and insert “an”

Page 4, lines 10 and 11, delete “to the extent that” and insert “if”

Page 4, lines 26, before “board” insert “state”

Page 4, delete lines 27 and 28 and insert “1975, and ending January 1, 1977. Funds available shall not cancel”

Page 4, line 29, delete “available”

And when so amended, H. F. No. 116 will be identical to S. F. No. 1313 and further recommends that H. F. No. 116 be given its second reading and substituted for S. F. No. 1313 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 2216 be amended as follows:

Page 2, delete lines 17 to 19

Page 2, delete line 32

Page 3, delete lines 1 to 16

Renumber the remaining subdivisions in order

And when so amended, H. F. No. 2216 will be identical to S. F. No. 2432 and further recommends that H. F. No. 2216 be given its second reading and substituted for S. F. No. 2432 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1912 for comparison to companion Senate File, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1912	1861				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 2152, 1191, 1957, 60, 975, 1812, 2284, 1874, 1920, 2208, 2344, 252 and 1786 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1957, 2216, 116 and 1912 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Laufenburger moved that S. F. No. 2421 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Metropolitan and Urban Affairs. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Laufenburger and Larson be added as co-authors to S. F. No. 2322. The motion prevailed.

Mr. Ogdahl moved that S. F. No. 2023, No. 29 on General Orders, be stricken and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Ogdahl moved that S. F. No. 2024, No. 30 on General Orders, be stricken and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Coleman moved that S. F. No. 2486 be withdrawn from the Committee on Transportation and General Legislation and re-

referred to the Committee on Metropolitan and Urban Affairs. The motion prevailed.

Mr. Conzemius, for Mr. Anderson moved that S. F. No. 2028 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Judiciary. The motion prevailed.

### THIRD READING OF SENATE BILLS

S. F. No. 1876: A bill for an act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory groups; standardizing the terms, compensation and removal of members of committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletypewriter advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 16.71, Subdivision 1; 17.52; 17.53, Subdivision 5; 17.54, Subdivision 2; 21A.02, Subdivision 5; 21A.03; 29.14, Subdivision 4; 30.463, Subdivision 2; 32B.03, Subdivision 4; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.13; 197.15; 197.16; 252.28, Subdivision 2; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 60C, 114, and 252 by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 15.01; 15.012; 15.059, Subdivisions 3 and 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivisions 1 and 2; 326.241, Subdivision 1; 326.33, Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, as amended; Laws 1975, Chapter 271, Section 3; repealing Minnesota Statutes 1974, Sections 15.046, as amended; 17.60; 17.601; 21A.04; 32B.04, Subdivision 2; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 362.16; Minnesota Statutes, 1975 Supplement, Sections 86A.10, Subdivisions 3, 4 and 5; 241.023; and 299C.47.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hansen, Mel	Keefe, S.
Arnold	Brown	Doty	Hanson, R.	Kirchner
Bang	Chenoweth	Dunn	Hughes	Kleinbaum
Berg	Chmielewski	Frederick	Humphrey	Kowalczyk
Bernhagen	Coleman	Gearty	Jensen	Larson
Blatz	Conzemius	Hansen, Baldy	Keefe, J.	Laufenburger

Lewis	North	Patton	Schaaf	Tennesen
McCutcheon	Ogdahl	Perpich, A. J.	Schmitz	Ueland
Merriam	Olhoft	Perpich, G.	Solon	Wegener
Milton	Olson, A. G.	Pillsbury	Spear	Willet
Moe	Olson, J. L.	Purfeerst	Stokowski	
Nelson	O'Neill	Renneke	Stumpf	

So the bill passed and its title was agreed to.

S. F. No. 2161: A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for certain charitable festivals.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Doty	Kirchner	Olhoft	Olson, J. L.	Renneke
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So the bill passed and its title was agreed to.

S. F. No. 1996: A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1388: A bill for an act relating to public health; requiring school nurses to take throat cultures and test for infection; amending Minnesota Statutes 1974, Section 145.085, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hansen, Baldy	Laufenburger	Moe	Renneke	Willet
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So the bill passed and its title was agreed to.

S. F. No. 2077: A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1262: A bill for an act relating to tax forfeited lands; authorizing the county auditor to grant easements or permits thereon for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1976: A bill for an act relating to workmen's compensation; providing for third party liability; amending Minnesota Statutes 1974, Section 176.061, Subdivision 3; repealing Minnesota Statutes 1974, Section 176.061, Subdivision 10.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1997: A bill for an act relating to taxation; credits on tax on fermented malt beverages; amending Minnesota Statutes 1974, Section 340.47, Subdivisions 2 and 2a.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,



And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Coleman	Olhoff	Olson, A. G.	Olson, J. L.	Renneke
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So the bill passed and its title was agreed to.

S. F. No. 1880: A bill for an act relating to health; providing that hospitals do not require additional licenses for certain day care facilities; amending Minnesota Statutes 1974, Section 245.79.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### THIRD READING OF HOUSE BILLS

H. F. No. 2011: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Goodhue county to the city of Red Wing.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 59: A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

Messrs. Lewis and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

#### CALENDAR OF ORDINARY MATTERS

S. F. No. 2070: A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2318: A bill for an act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Frederick	Olson, J. L.	Renneke	Ueland
Bernhagen	Hansen, Baldy	Patton	Schrom	Willet
Chmielewski	Jensen			

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Brown	Conzemius	Gearty
Arnold	Blatz	Chenoweth	Davies	Hansen, Baldy
Bang	Borden	Chmielewski	Doty	Hansen, Mel
Berg	Brataas	Coleman	Dunn	Hanson, R.

Hughes	Kowalczyk	North	Perpich, G.	Spear
Humphrey	Larson	Ogdahl	Pillsbury	Stassen
Jensen	Laufenburger	Olhoff	Purfeerst	Stokowski
Josefson	Lewis	Olson, A. G.	Renneke	Stumpf
Keefe, J.	McCutcheon	Olson, H. D.	Schaaf	Tennessee
Keefe, S.	Merriam	Olson, J. L.	Schmitz	Ueland
Kirchner	Milton	O'Neill	Schrom	Wegener
Kleinbaum	Moe	Patton	Sillers	Willet
Knutson	Nelson	Perpich, A. J.	Solon	

So the bill passed and its title was agreed to.

H. F. No. 2105: A bill for an act relating to county agricultural societies; authorizing the renewal of the period of corporate existence of certain agricultural societies whose period of duration has expired; validating acts done and contracts made subsequent to the expiration of the corporate existence.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S. F. Nos. 2108 and 2011 which the committee recommends to pass.

H. F. No. 109 which the committee reports progress, subject to the following motion:

Mr. Milton moved to amend the amendment placed on H. F. No. 109 by the Committee on Governmental Operations, adopted by the Senate February 9, 1976, as follows:

Section 37, line 6, after the period insert "*Notwithstanding the foregoing, the terms of the commissioner of health shall expire on the day following the effective date of this act.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1099 which the committee recommends to pass, after the following motion:

Mr. Kowalczyk moved to amend H. F. No. 1099 as follows:

Page 3, after line 4, insert:

"Sec. 2. Minnesota Statutes 1974, Section 273.063, is amended to read:

273.063 [APPLICATION; LIMITATIONS.] The provisions of Extra Session Laws 1967, Chapter 32, Article 8, shall apply to all counties except Ramsey county. The following limitations shall apply as to the extent of the county assessors jurisdiction:

In counties *other than Hennepin* having a city of the first class, the powers and duties of the county assessor within such city shall be performed by the duly appointed city assessor. In all other cities having a population of 30,000 persons or more, according to the last preceding federal census, except in counties having a county assessor on January 1, 1967, the powers and duties of the county assessor within such cities shall be performed by the duly appointed city assessor, provided that the county assessor shall retain the supervisory duties contained in section 273.061, subdivision 8."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "assessing procedures;"

Page 1, line 3, after "amending" insert "Minnesota Statutes 1974, Section 273.063; and"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Jensen	Larson	Patton
Bang	Conzemius	Josefson	Lewis	Pillsbury
Berg	Dunn	Keefe, J.	Milton	Renneke
Bernhagen	Frederick	Kirchner	Nelson	Stassen
Blatz	Hanson, R.	Knutson	Olson, J. L.	Ueland
Brataas	Humphrey	Kowalczyk	O'Neill	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Merriam	Perpich, A. J.	Stokowski
Borden	Hansen, Mel	Moe	Perpich, G.	Stumpf
Chenoweth	Hughes	North	Purfeerst	Tennessen
Coleman	Keefe, S.	Ogdahl	Schrom	Wegener
Davies	Kleinbaum	Olhoff	Sillers	Willet
Doty	Laufenburger	Olson, A. G.	Solon	
Gearty	McCutcheon	Olson, H. D.	Spear	

The motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation to pass H. F. No. 1099,

And the roll being called, there were yeas 40 and nays 22, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Mel	Merriam	O'Neill	Solon
Brataas	Hughes	Milton	Patton	Spear
Chenoweth	Jensen	Moe	Perpich, A. J.	Stassen
Coleman	Keefe, S.	North	Perpich, G.	Stokowski
Conzemius	Kleinbaum	Ogdahl	Purfeerst	Stumpf
Davies	Larson	Olhoft	Renneke	Tennessee
Doty	Laufenburger	Olson, A. G.	Schmitz	Wegener
Gearty	McCutcheon	Olson, H. D.	Sillers	Willet

Those who voted in the negative were:

Anderson	Brown	Humphrey	Kowalczyk	Schrom
Bang	Dunn	Josefson	Lewis	Ueland
Berg	Frederick	Keefe, J.	Nelson	
Bernhagen	Hansen, Baldy	Kirchner	Olson, J. L.	
Blatz	Hanson, R.	Knutson	Pillsbury	

The motion prevailed. So the committee recommended H. F. No. 1099 to pass.

S. F. No. 354, which the committee recommends to pass.

The question being taken on the committee recommendation to pass S. F. No. 354,

And the roll being called, there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	North	Schmitz
Bang	Doty	Kirchner	Ogdahl	Solon
Berg	Dunn	Kowalczyk	Olhoft	Spear
Bernhagen	Frederick	Larson	Olson, A. G.	Stassen
Borden	Gearty	Laufenburger	Olson, J. L.	Stokowski
Brataas	Hansen, Mel	Lewis	Patton	Stumpf
Brown	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chenoweth	Hughes	Merriam	Pillsbury	
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Jensen	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Blatz	Josefson	Knutson	O'Neill	Ueland
Hansen, Baldy				

The motion prevailed. So the committee recommended S. F. No. 354 to pass.

S. F. No. 634, which the committee recommends to pass with the following amendments offered by Messrs. McCutcheon and Nelson:

Mr. McCutcheon moved to amend S. F. No. 634 as follows:

Page 5, line 8, after "*felony*" and before the period insert "*and confined in a state correctional institution*"

Page 5, line 31, strike "*but the program may not include rehabilitative or*"

Page 5, strike line 32

Page 6, after line 23, insert:

"Sec. 6. [OTHER PROGRAMS.] *The commissioner shall provide programs with rehabilitative or therapeutic objectives for those inmates who desire to voluntarily participate. These programs shall include, but not be limited to, programs in the areas of chemical dependency and alcoholism.*"

Page 6, line 26, strike "*relating to inmate conduct,*"

Page 7, strike lines 15 to 17

Page 8, line 10, strike "*penal*" and insert "*correctional*"

Page 10, line 5, strike "*trial*" and insert "*district*"

Page 10, line 18, strike "*the merits of*"

Page 10, line 20, strike "*criteria or*"

Renumber the sections in sequence

Mr. Nelson moved to amend S. F. No. 634 as follows:

Page 12, line 2, after "*609.342,*" insert "*or upon the conviction for a felony violation other than a violation punishable under section 609.205, during which the offender used a firearm,*"

Mr. Schaaf moved to amend S. F. No. 634 as follows:

Page 11, line 31, after "*person.*" insert "*Provided, however, that upon the conviction for a crime punishable as a felony, the court in all cases shall order the offender incarcerated for a period of not less than 72 hours under such custody as the court may order.*"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 14 and nays 32, as follows:

Those who voted in the affirmative were:

Berg	Doty	Josefson	Olhoft	Schaaf
Bernhagen	Hansen, Mel	Keefe, S.	Olson, J. L.	Sillers
Chmielewski	Jensen	Merriam	Renneke	

Those who voted in the negative were:

Anderson	Dunn	Keefe, J.	Moe	Stassen
Arnold	Frederick	Knutson	North	Stumpf
Bang	Gearty	Kowalczyk	Pillsbury	Ueland
Blatz	Hansen, Baldy	Laufenburger	Purfeerst	Willet
Brown	Hanson, R.	Lewis	Schmitz	
Coleman	Hughes	McCutcheon	Schrom	
Conzemius	Humphrey	Milton	Spear	

The motion did not prevail. So the amendment was not adopted.

And then, on motion of Mr. Arnold, 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 10:00 o'clock a.m., Thursday, March 11, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate