

THIRD DAY

St. Paul, Minnesota, Thursday, January 6, 1977

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

CALL OF THE SENATE

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

Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Hanson	Lewis	Pillsbury	Stokowski
Bernhagen	Hughes	Luther	Purfeerst	Strand
Brataas	Humphrey	McCutcheon	Renneke	Stumpf
Chmielewski	Johnson	Menning	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Ogdahl	Schrom	Vega
Dunn	Kleinbaum	Olhoff	Sieloff	Willet
Engler	Knoll	Olson	Sikorski	
Frederick	Knutson	Penny	Sillers	
Gearty	Laufenburger	Perpich	Solon	

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

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

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

Anderson	Engler	Knoll	Olson	Solon
Ashbach	Frederick	Knutson	Penny	Staples
Bang	Gearty	Laufenburger	Perpich	Stokowski
Benedict	Gunderson	Lessard	Peterson	Strand
Bernhagen	Hanson	Lewis	Pillsbury	Stumpf
Brataas	Hughes	Luther	Purfeerst	Ueland, A.
Chenoweth	Humphrey	McCutcheon	Renneke	Ulland, J.
Chmielewski	Johnson	Menning	Schaaf	Vega
Coleman	Keefe, J.	Merriam	Schmitz	Wegener
Davies	Keefe, S.	Nelson	Sieloff	Willet
Dieterich	Kirchner	Ogdahl	Sikorski	
Dunn	Kleinbaum	Olhoff	Sillers	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Borden, Jensen, Milton, Moe, Nichols, Spear and Tennesen were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

December 14, 1976

President of the Senate
State of Minnesota

Dear Sir:

The following appointment as Commissioner of the State Department of Personnel is hereby respectfully submitted to the Senate for confirmation as required by law:

Richard W. Session, 4401 Heritage Hills Drive, Bloomington, Hennepin County, has been appointed by me, effective April 19, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Governmental Operations.

December 14, 1976

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

Norvin "Red" Swager, 102 Lakeside Drive, Stillwater, Washington County, has been appointed by me, effective April 23, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Governmental Operations.

December 14, 1976

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

Mrs. Kathryn C. Vander Kooi, Route 1, Luverne, Rock County, has been appointed by me, effective May 3, 1976, for a term expiring July 1, 1977.

Referred to the Committee on Education.

December 14, 1976

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

Ms. Thaloyce Wells, 886 Fuller Avenue, St. Paul, Ramsey County, has been appointed by me, effective May 3, 1976, for a term expiring January 1, 1978.

Dr. Van S. Lawrence, 2010 James Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective May 3, 1976, for a term expiring January 1, 1980.

Referred to the Committee on Health, Welfare and Corrections.

December 14, 1976

The following appointment as Director of the Bureau of Medi-
ation Services is hereby respectfully submitted to the Senate for
confirmation as required by law:

Ernest H. Jones, 307-7th Place, N.W., Austin, Mower County,
has been appointed by me, effective May 3, 1976, for a term ex-
piring March 1, 1977.

Referred to the Committee on Employment.

December 14, 1976

The following appointment to the Crime Victims Reparations
Board is hereby respectfully submitted to the Senate for confirma-
tion as required by law:

Dr. William Kosiak, 5512 Elliot Avenue, Minneapolis, Hennes-
pin County, has been appointed by me, effective May 12, 1976,
for a term expiring January 7, 1980.

Referred to the Committee on General Legislation and Veterans
Affairs.

December 14, 1976

The following appointment to the Metropolitan Council is here-
by respectfully submitted to the Senate for confirmation as
required by law:

Betty Kane, 701 Parkview Terrace, Golden Valley, Hennepin
County, has been appointed by me, effective May 19, 1976, for
a term expiring January 1, 1979.

Referred to the Committee on Governmental Operations.

December 14, 1976

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

Richard J. Parish, 2565 Vale Crest Road, Golden Valley,
Hennepin County, has been appointed by me, effective June 1,
1976, for a term expiring January 2, 1980.

Referred to the Committee on Commerce.

December 14, 1976

The following appointment to the University of Minnesota
Board of Regents is hereby respectfully submitted to the Senate
for confirmation as required by law:

Michael W. Unger, 190 North Robie, St. Paul, Ramsey County,
has been appointed by me, effective June 1, 1976, for a term

until a successor is chosen according to Territorial Laws 1851, Chapter 3, Section 6.

Referred to the Committee on Education.

December 14, 1976

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

Gertrude Ulrich, 7601 Aldrich Avenue South, Richfield, Hennepin County, has been appointed by me, effective June 30, 1976, for a term expiring January 1, 1980.

Referred to the Committee on Commerce.

December 14, 1976

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

John A. Peterson, 7109 Newton South, Richfield, Hennepin County, has been appointed by me, effective July 15, 1976, for a term expiring July 1, 1981.

Thomas E. Halloran, 5625 Christmas Lake Point, Shorewood, Hennepin County, has been appointed by me, effective July 15, 1976, for a term expiring July 1, 1981.

Mrs. Gertrude Suel, 1026 South Market, Shakopee, Scott County, has been appointed by me, effective July 15, 1976, for a term expiring July 1, 1981.

Referred to the Committee on Governmental Operations.

December 14, 1976

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

Mrs. Connie Burchett, 9849 Zilla Street N.W., Coon Rapids, Anoka County, has been appointed by me, effective July 20, 1976, for a term expiring January 2, 1978.

Roger Noreen, 4684 James Road, Mendota Heights, Dakota County, has been appointed by me, effective April 29, 1976, for a term expiring January 7, 1980.

Referred to the Committee on Elections.

December 14, 1976

The following appointment as Commissioner of the State Department of Transportation is hereby respectfully submitted to the Senate for confirmation as required by law:

R. James Harrington, 2100 West 21st Street, Minneapolis, Hennepin County, has been appointed by me, effective August 1, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Transportation.

December 14, 1976

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

Robert Elcan, 4908 Dominica Way West, Apple Valley, Dakota County, has been appointed by me, effective September 22, 1976, for a term expiring January 1, 1977.

Francis "Barney" Hage, 223 Selmser Avenue, Cloquet, Carlton County, has been appointed by me, effective July 1, 1976, for a term expiring January 1, 1979.

Linda Ady, 1492 Goodwin Avenue North, St. Paul, Ramsey County, has been appointed by me, effective July 1, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Governmental Operations.

December 15, 1976

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

Ms. Beverly Smerling, 2552 West Lake of the Isles Boulevard, Minneapolis, Hennepin County, has been appointed by me, effective November 9, 1976 for a term expiring January 2, 1978.

Referred to the Committee on Education.

December 15, 1976

The following appointments to the State Board of Human Rights are hereby respectfully submitted to the Senate for confirmation as required by law:

Ms. Jacqui Thompson, 3400 Third Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective November 9, 1976, for a term expiring January 1, 1979.

Mr. Joseph Bester, 1825 Third Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective November 9, 1976, for a term expiring January 1, 1978.

Ms. Arloa Molstad, Box 83, Gaylord, Sibley County, has been appointed by me, effective November 9, 1976, for a term expiring January 1, 1977.

Referred to the Committee on Governmental Operations.

December 15, 1976

The following appointment as Chief Hearing Examiner of the State Office of Hearing Examiners is hereby respectfully submitted to the Senate for confirmation as required by law:

Mr. Duane R. Harves, 11429 Valley Court, Burnsville, Dakota County, has been appointed by me, effective November 23, 1976, for a term expiring June 30, 1982.

Referred to the Committee on Governmental Operations.

December 15, 1976

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

Mr. Don Bye, 609 West Second Street, Duluth, St. Louis County, has been appointed by me, effective April 5, 1976, for a term expiring January 7, 1980.

Mr. Robert J. Meyer, 1009 Como Place, St. Paul, Ramsey County, has been appointed by me, effective April 5, 1976, for a term expiring January 7, 1980.

Mr. Peter Obermeyer, 707 Mount Curve Boulevard, St. Paul, Ramsey County, has been appointed by me, effective April 5, 1976, for a term expiring January 7, 1980.

Mr. Joseph Flynn, 2605 East Poplar Avenue, St. Paul, Ramsey County, has been appointed by me, effective December 1, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Employment.

December 15, 1976

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

Ms. Barbara Hofstede, 2220 St. Anthony Parkway, Minneapolis, Hennepin County, has been appointed by me, effective December 8, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Governmental Operations.

December 16, 1976

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

Mr. Merlyn B. Knudson, Box 15, Kettle River, Carlton County, has been appointed by me, effective December 15, 1976, for a term expiring January 1, 1980.

Referred to the Committee on Agriculture and Natural Resources.

December 16, 1976

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

Ms. Mary S. Burich, 541 Juergens Road, Hutchinson, McLeod County, has been appointed by me, effective December 16, 1976, for a term expiring January 1, 1980.

Referred to the Committee on Commerce.

December 16, 1976

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

Ms. Beverly Smerling, 2552 West Lake of the Isles Boulevard, Minneapolis, Hennepin County, has been appointed by me, effective December 16, 1976, for a term expiring January 1, 1979.

Referred to the Committee on Health, Welfare and Corrections.

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. Luther; Ulland, J. and Dieterich introduced—

S. F. No. 1: A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

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

Messrs. Luther; Sikorski; Ulland, J. and Johnson introduced—

S. F. No. 2: A bill for an act relating to environmental protection; prohibiting sale of milk in non-refillable plastic containers; prescribing penalties.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S. F. No. 3: A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

Referred to the Committee on Local Government.

Mr. Anderson introduced—

S. F. No. 4: A bill for an act relating to Independent School District No. 15 and Independent School District No. 911; providing for a transfer of property between the districts.

Referred to the Committee on Education.

Messrs. Olhoft, Bang and Willet introduced—

S. F. No. 5: A bill for an act relating to unemployment compensation; providing for exclusion of certain student work; raising contribution bases; changing of certain benefits; providing disqualifying conditions; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 12, 25, and 29; 268.06, Subdivisions 5 and 8, and by adding a subdivision; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; 268.12, Subdivision 12; and 268.18, Subdivisions 2 and 3.

Referred to the Committee on Employment.

Messrs. Luther, Sikorski, Dieterich, Spear and Johnson introduced—

S. F. No. 6: A bill for an act relating to the regulation of finance charges; territorial application; amending Minnesota Statutes 1976, Chapter 334, by adding a section.

Referred to the Committee on Commerce.

Messrs. Luther; Sikorski; Johnson; Keefe, S. and Chenoweth introduced—

S. F. No. 7: A bill for an act relating to public utilities; prohibiting certain discounts and rate reductions based on volume; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; amending Minnesota Statutes 1976, Sections 216B.07; 216B.16, Subdivisions 2, 3 and 6, and by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Chenoweth; Schaaf; Keefe, J.; Humphrey and Knoll introduced—

S. F. No. 8: A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; and 10A.22, Subdivision 5; 473.123; and 473.141, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Anderson, Ogdahl, Humphrey and Moe introduced—

S. F. No. 9: A bill for an act relating to the operation of shade tree disease control and reforestation programs by local governments; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 1, 1a, 2, 3a and 4.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Lessard, Willet, Sillers and Menning introduced—

S. F. No. 10: A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

Referred to the Committee on Local Government.

Messrs. Purfeerst and Engler introduced—

S. F. No. 11: A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

Referred to the Committee on Local Government.

Messrs. Kleinbaum and Schrom introduced—

S. F. No. 12: A bill for an act proposing an amendment repealing Article XIII, Section 5, of the Minnesota Constitution; permitting lotteries.

Referred to the Committee on General Legislation and Veterans Affairs.

Mr. Kleinbaum introduced—

S. F. No. 13: A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession

of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:30 o'clock p.m., Monday, January 10, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate