

SEVENTH DAY

St. Paul, Minnesota, Monday, January 24, 1977

The Senate met at 5:00 o'clock p.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:

Anderson	Gearty	Lewis	Peterson	Staples
Ashbach	Gunderson	Luther	Pillsbury	Stokowski
Bang	Hanson	McCutcheon	Purfeerst	Strand
Benedict	Hughes	Menning	Renneke	Stumpf
Bernhagen	Humphrey	Merriam	Schaaf	Tennessee
Borden	Jensen	Milton	Schmitz	Ueland, A.
Chenoweth	Johnson	Moe	Schrom	Ulland, J.
Coleman	Keefe, S.	Nelson	Sieloff	Vega
Dieterich	Kirchner	Nichols	Sikorski	Wegener
Dunn	Kleinbaum	Ogdahl	Sillers	Willet
Engler	Laufenburger	Olhoft	Solon	
Frederick	Lessard	Penny	Spear	

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

Prayer was offered by the Chaplain, Rev. David Olson.

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

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

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. Knoll and Perpich were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 17, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Jim Daly, 119 South Grove, Belle Plaine, Scott County, has been appointed by me, effective January 14, 1977, for a term expiring January 5, 1981.

Todd Jeffery Lefko, 1528 Grantham, St. Paul, Ramsey County, has been appointed by me, effective January 14, 1977, for a term expiring January 5, 1981.

Stanley B. Kegler, 655 East Belmont Lane, Maplewood, Ramsey County, has been appointed by me, effective January 14, 1977, for a term expiring January 5, 1981.

Sincerely,
Rudy Perpich, Governor

Referred to the Committee on Governmental Operations.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Wegener, Hanson, Willet, Sillers and Moe introduced—

S. F. No. 74: A bill for an act relating to agriculture; potato grading; application; repealing Minnesota Statutes 1976, Section 30.101.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam and Davies introduced—

S. F. No. 75: A bill for an act relating to insurance; defining persons entitled to participate in the assigned claims plan for motor vehicle injuries; amending Minnesota Statutes 1976, Section 65B.64, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Keefe, S. and Solon introduced—

S. F. No. 76: A bill for an act relating to commerce; extending the effective date of certain provisions of law that require tents and sleeping bags to be flame resistant; amending Laws 1975, Chapter 341, Section 6.

Referred to the Committee on Commerce.

Messrs. Keefe, S.; Gearty; Coleman and Merriam introduced—

S. F. No. 77: A bill for an act relating to elections; providing protection for employees who become candidates; providing penalties; amending Minnesota Statutes 1976, Chapter 10A, by adding a section.

Referred to the Committee on Elections.

Messrs. Keefe, S.; Solon; Lessard and Strand introduced—

S. F. No. 78: A bill for an act relating to public indebtedness; investment of debt service funds; amending Minnesota Statutes 1976, Section 475.66, Subdivisions 1 and 2.

Referred to the Committee on Local Government.

Messrs. Menning, Willet, Olson and Renneke introduced—

S. F. No. 79: A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

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

Messrs. Menning, Renneke, Purfeerst and Penny introduced—

S. F. No. 80: A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Schmitz, Bernhagen and Lessard introduced—

S. F. No. 81: A bill for an act relating to firearms; clarifying the requirements for transportation of muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.29, Subdivision 5.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schmitz, Dieterich and Sillers introduced—

S. F. No. 82: A bill for an act relating to elections; providing that certificates of election to the legislature be sent to the legislature; amending Minnesota Statutes 1976, Section 204A.54, Subdivision 1.

Referred to the Committee on Elections.

Messrs. Johnson, Lessard, Hanson, Willet and Ashbach introduced—

S. F. No. 83: A resolution relating to the eastern timber wolf; urging the Secretary of the Interior to return management control of the eastern timber wolf to the state of Minnesota.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, J.; Lewis; Schaaf; Bang and Kleinbaum introduced—

S. F. No. 84: A bill for an act relating to health; authorizing use of living wills; establishing liabilities for wrongful acts; recognizing legal status of certain documents; prescribing penalties.

Referred to the Committee on Judiciary.

Messrs. Schrom, Willet, Dunn and Lewis introduced—

S. F. No. 85: A bill for an act relating to agriculture; establishing an avian disease research center; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, J.; Gearty; Humphrey; Luther and Sieloff introduced—

S. F. No. 86: A bill for an act relating to real property; registration of title thereto; providing for changes in the persons who may register land and in the contents of the application for registration; permitting the registration of appurtenant easements over unregistered land and establishing procedures for such registration; changing the period during which the application shall constitute notice; changing the period for appeal from a final decree and establishing a period for appeal to the supreme court from an order of the district court made after the original registration of land; providing that money judgments may be filed on certificates of title only when the judgment debtor has a registered interest therein; prescribing fees of the registrar for

the assurance fund; clarifying the limitation on recovery from the assurance fund; amending Minnesota Statutes 1976, Sections 508.03; 508.04; 508.06; 508.11; 508.23; 508.29; 508.63; 508.74; and 508.78.

Referred to the Committee on Judiciary.

Messrs. Renneke, Gunderson, Olson, Purfeerst and Engler introduced—

S. F. No. 87: A resolution memorializing Congress and the President of the United States to authorize replacement of Locks and Dam No. 26 in Alton, Illinois.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum and Willet introduced—

S. F. No. 88: 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 Commerce.

Messrs. Stumpf, Schrom, Willet, Lessard and Dunn introduced—

S. F. No. 89: A bill for an act relating to natural resources; adding a member to the soil and water conservation board temporarily.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stumpf, Schrom, Willet, Dunn and Penny introduced—

S. F. No. 90: A bill for an act relating to soil and water conservation; adding the commissioner of natural resources as an ex-officio officer of the state soil and water conservation board; amending Minnesota Statutes 1976, Section 40.03, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stumpf; Luther; Keefe, S.; Vega and Milton introduced—

S. F. No. 91: A bill for an act relating to employment; prohibiting mandatory overtime; providing a penalty.

Referred to the Committee on Employment.

Mr. Stumpf; Mrs. Staples; Messrs. Keefe, S.; Vega and Milton introduced—

S. F. No. 92: A bill for an act relating to labor; providing that

employers provide certain information with all payments of wage or salary; amending Minnesota Statutes 1976, Section 181.12.

Referred to the Committee on Employment.

Messrs. Stumpf; Luther; Keefe, S.; Schaaf and Milton introduced—

S. F. No. 93: A bill for an act relating to taxation; providing for an increased income tax checkoff, redistribution of moneys in the elections campaign fund, and limitations on political contributions; amending Minnesota Statutes 1976, Sections 10A.12, Subdivision 5; 10A.27; 10A.31, Subdivisions 1, 2 and 3; 290.06, Subdivision 11 and Chapter 10A, by adding a section.

Referred to the Committee on Elections.

Messrs. Stumpf, Spear, Solon, Mrs. Brataas and Mr. Sikorski introduced—

S. F. No. 94: A bill for an act relating to fraternal beneficiary associations; authorizing the election of directors to govern them; prescribing limitations; amending Minnesota Statutes 1976, Section 64A.04.

Referred to the Committee on Commerce.

Messrs. Purfeerst, Laufenburger, Borden and Hughes introduced—

S. F. No. 95: A bill for an act relating to education; school employees; providing a limitation on contract negotiations.

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

Messrs. Luther, Penny, Vega, Sikorski and Gunderson introduced—

S. F. No. 96: A bill for an act relating to insurance; providing that senior citizens may cancel certain policies of insurance within seven business days after purchase; setting out notice requirements.

Referred to the Committee on Commerce.

Messrs. Luther; Sikorski; Nelson and Keefe, J. introduced—

S. F. No. 97: A bill for an act relating to public utilities; providing for a lifeline rate for electricity; amending Minnesota Statutes 1976, Chapter 216B, by adding a section.

Referred to the Committee on Commerce.

Mr. Borden introduced—

S. F. No. 98: A bill for an act relating to public health; providing for optional fluoridation of municipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Laufenburger introduced—

S. F. No. 99: A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

Referred to the Committee on Local Government.

Mr. Schaaf introduced—

S. F. No. 100: A bill for an act relating to parks; appropriating money for the development of recreation facilities for the handicapped at Islands of Peace Park.

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

Messrs. Chmielewski and Olhoft introduced—

S. F. No. 101: A bill for an act relating to welfare; providing penalties for welfare offenses; requiring notification of change of circumstances; amending Minnesota Statutes 1976, Sections 256.-98; and 393.07, Subdivision 10.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 102: A bill for an act relating to the town of Thomson in Carlton county; authorizing a special tax levy for certain purposes.

Referred to the Committee on Taxes and Tax Laws. Mr. Chmielewski questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Benedict, McCutcheon, Humphrey, Knoll and Luther introduced—

S. F. No. 103: A bill for an act relating to taxation; providing that improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota

Statutes 1976, Section 273.11, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws. Mr. Anderson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Johnson introduced—

S. F. No. 104: A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

Referred to the Committee on Local Government.

Messrs. Davies, Hanson, Merriam and Keefe, J. introduced—

S. F. No. 105: A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; requiring a notice to be given a father when a mother intends to relinquish a child for purposes of adoption; enacting the uniform parentage act; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1976, Sections 144.159; 144.167; 144.171, Subdivision 2; 257.025; 257.175; 257.28; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29; 260.111, Subdivision 2; 525.172; and 525.173; repealing Minnesota Statutes 1976, Sections 144.177; 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; 257.33; 259.261; and 517.19.

Referred to the Committee on Judiciary.

Messrs. Dieterich; Keefe, S.; Johnson and Luther introduced—

S. F. No. 106: A bill for an act relating to sales, consumer credit; providing for maximum finance charges and a penalty.

Referred to the Committee on Commerce.

Messrs. Hanson, Merriam and Knoll introduced—

S. F. No. 107: A bill for an act relating to children; enacting the uniform child custody jurisdiction act.

Referred to the Committee on Judiciary.

Messrs. Lewis, Laufenburger and Gearty introduced—

S. F. No. 108: A bill for an act relating to highway traffic

regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

Referred to the Committee on Transportation.

Mr. Schaaf introduced—

S. F. No. 109: A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Ashbach, Coleman, Gearty and Anderson introduced—

S. F. No. 110: A bill for an act relating to the operation of state government; authorizing the governor to temporarily alter or adjust state work and compensation practices in order to minimize state government's energy consumption.

Mr. Coleman moved that S. F. No. 110 be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE

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. 4: A Senate Concurrent Resolution relating to the engrossment and enrolling of bills.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 24, 1977

Mr. President:

I have the honor to inform the Senate that the House of Representatives has appointed a committee of five members of the House to act with a similar committee on the part of the Senate to escort the Governor to the Joint Convention to be held in the House Chamber, Tuesday, January 25, 1977. The Joint Convention will convene at 11:50 a. m. and the budget message of the Governor will be delivered at 12:00 noon.

Lehto, Murphy, Scheid, Wynia, and Evans have been appointed as members of such committee on the part of the House.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 24, 1977

APPOINTMENTS

Pursuant to the foregoing Message, the President made the following appointments:

Messrs. Perpich, Hanson, Knoll, Sikorski and Mrs. Brataas.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of S. F. No. 17 be now adopted. The motion prevailed.

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

S. F. No. 17: A bill for an act relating to education; higher education coordinating board; providing for non-citizen students to be eligible for scholarships and grants-in-aid; amending Minnesota Statutes 1976, Section 136A.121, Subdivisions 1 and 2.

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

Page 2, after line 22, insert:

“Sec. 3. *This act shall be effective the day following final enactment.*”

And when so amended the bill do pass.

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

Mr. Wegener from the Committee on Local Government, to which was referred

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.

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

SECOND READING OF SENATE BILLS

S. F. No. 11 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Wegener moved that the name of Mr. Sillers be added as co-author to S. F. No. 21. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Vega be added as co-author to S. F. No. 65. The motion prevailed.

Mr. Schaaf moved that the names of Messrs. Gearty, Chenoweth, Ogdahl and Borden be added as co-authors to S. F. No. 109. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Stumpf be added as co-author to S. F. No. 35. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:45 o'clock a.m., Tuesday, January 25, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate