

TENTH DAY

St. Paul, Minnesota, Tuesday, February 1, 1977

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

CALL OF THE SENATE

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

Anderson	Frederick	Knoll	Peterson	Tennessee
Ashbach	Gearty	Knutson	Purfeerst	Ueland, A.
Bang	Gunderson	Laufenburger	Schrom	Vega
Benedict	Hanson	Lewis	Sikorski	Wegener
Bernhagen	Hughes	Menning	Solon	Willet
Borden	Humphrey	Merriam	Spear	
Chenoweth	Keefe, S.	Milton	Staples	
Chmielewski	Kirchner	Ogdahl	Strand	
Engler	Kleinbaum	Penny	Stumpf	

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

Prayer was offered by the Chaplain, Rev. William D. Young.

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

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

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

Mrs. Brataas, Messrs. Coleman, Dieterich, Johnson, McCutcheon, Perpich, Pillsbury and Schmitz were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 25, 1977

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Charles Weaver, 830 River Lane, Anoka, Anoka County, has been appointed by me, effective January 25, 1977, for a term expiring January 5, 1981.

Sincerely,
Rudy Perpich, Governor

Referred to the Committee on Governmental Operations.

January 26, 1977

I have the honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. No. 110.

Sincerely,
Rudy Perpich, Governor

January 26, 1977

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1977 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1977	Date Filed 1977
110		1	January 26	January 26

Sincerely,
Joan Anderson Growe,
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. McCutcheon, Bernhagen, Wegener, Laufenburger and Kleinbaum introduced—

S. F. No. 162: A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

Referred to the Committee on Judiciary.

Messrs. Humphrey, Milton, Solon, Lewis and Sikorski introduced—

S. F. No. 163: A bill for an act relating to education; vocational training for handicapped persons; establishing a special office for handicapped persons in the department of vocational rehabilitation; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski, Davies, Hanson and Knutson introduced—

S. F. No. 164: A bill for an act relating to courts; eliminating erroneous and ambiguous references; repealing obsolete provisions relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1976, Sections 2.724, Subdivision 3; 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.10, Subdivision 6; 488A.113; 488A.27, Subdivision 6; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014; repealing Minnesota Statutes 1976, Chapter 488.

Referred to the Committee on Judiciary.

Messrs. Nelson, Davies, Merriam, Gearty and Knutson introduced—

S. F. No. 165: A bill for an act relating to property; providing for the disposition of certain interests at death; enacting the uniform disposition of community property rights at death act.

Referred to the Committee on Judiciary.

Messrs. Davies; Keefe, S.; Stumpf and Knutson introduced—

S. F. No. 166: A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivision 7.

Referred to the Committee on Judiciary.

Messrs. Wegener, Dunn and Olhoft introduced—

S. F. No. 167: 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. Strand and Nichols introduced—

S. F. No. 168: A bill for an act relating to Yellow Medicine county; authorizing participation in a mental health services program outside its region.

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

Messrs. Stokowski, Spear, Ogdahl, Knoll and Chenoweth introduced—

S. F. No. 169: A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Lessard, Renneke, Hanson and Wegener introduced—

S. F. No. 170: A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

Referred to the Committee on Local Government.

Mr. Schaaf introduced—

S. F. No. 171: A bill for an act relating to taxation; exempting advertising billboards from property taxation; amending Minnesota Statutes 1976, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson, Strand, Gunderson and Mrs. Brataas introduced—

S. F. No. 172: A bill for an act relating to education; school districts; community services levy; authorizing meeting notices to satisfy compliance requirement of meetings with municipalities; amending Minnesota Statutes 1976, Section 275.125, Subdivision 8.

Referred to the Committee on Education.

Messrs. Hanson, Moe and Lessard introduced—

S. F. No. 173: A bill for an act relating to Kittson county; providing for the imposition of a tax upon persons, copartnerships, companies, joint stock companies, corporations, and associations however organized engaged therein in the business of removing gravel from gravel pits or deposits of gravel, for enforcing and collecting the same and prescribing penalties for violations thereof.

Referred to the Committee on Local Government.

Mrs. Staples, Messrs. Benedict and Humphrey introduced—

S. F. No. 174: A bill for an act relating to shade tree disease control; permitting the pollution control agency to promulgate rules governing the transportation and disposal of diseased shade trees; providing for grants-in-aid to municipalities for reforestation; permitting open burning of diseased shade trees by municipali-

ties; authorizing a special levy for shade tree disease control; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 2, 3 and 3a; 116.07, Subdivision 4; and 275.50, Subdivision 5.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davies, Sikorski, Pillsbury, Strand and Borden introduced—

S. F. No. 175: A bill for an act creating a Minnesota law revision commission; prescribing its duties and functions; and appropriating funds for its operation.

Referred to the Committee on Governmental Operations.

Messrs. Olhoft, Gunderson, Renneke, Benedict and Lessard introduced—

S. F. No. 176: A bill for an act allowing money in the state treasury not currently needed to be invested in the local government pooled investment fund; establishing and setting forth procedures for a state investment pool for local government funds; amending Minnesota Statutes 1976, Section 11.10, Subdivision 1; and Chapter 11, by adding sections.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Ogdahl, Chenoweth, Coleman and McCutcheon introduced—

S. F. No. 177: A bill for an act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain labor service employees of the metropolitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, Subdivision 3.

Referred to the Committee on Governmental Operations.

REPORTS OF COMMITTEES

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35, together with the committee report thereon,

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 report of the Committee on Education shown in the Journal for

January 24, 1977 that "when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Luther moved that the name of Mr. Chenoweth be added as co-author to S. F. No. 97. The motion prevailed.

Mr. Solon moved that the name of Mr. Schrom be added as co-author to S. F. No. 112. The motion prevailed.

Mr. Menning moved that the name of Mr. Penny be added as co-author to S. F. No. 51. The motion prevailed.

Mr. Knutson moved that the name of Mr. Pillsbury be added as co-author to S. F. No. 55. The motion prevailed.

Mr. Luther moved that S. F. No. 131 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Elections. The motion prevailed.

CONSENT CALENDAR

S. F. No. 48: A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 3, 1977. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate