

**SIXTY-THIRD DAY**

St. Paul, Minnesota, Thursday, January 19, 1978

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:

Anderson	Frederick	Knoll	Penny	Staples
Ashbach	Gearty	Knutson	Schaaf	Strand
Bang	Hughes	Lewis	Schmitz	Stumpf
Bernhagen	Humphrey	Luther	Schrom	Ueland, A.
Brataas	Jensen	Menning	Sieloff	Wegener
Chenoweth	Johnson	Moe	Sikorski	
Coleman	Keefe, S.	Nelson	Sillers	
Davies	Kirchner	Ogdahl	Solon	
Dieterich	Knaak	Olson	Spear	

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	Sillers
Ashbach	Frederick	Knutson	Penny	Solon
Bang	Gearty	Laufenburger	Peterson	Spear
Bernhagen	Gunderson	Lessard	Pillsbury	Staples
Borden	Hughes	Lewis	Purfeerst	Strand
Brataas	Humphrey	Luther	Renneke	Ueland, A.
Chenoweth	Jensen	Menning	Schaaf	Ulland, J.
Chmielewski	Johnson	Merriam	Schmitz	Vega
Coleman	Keefe, J.	Moe	Schrom	Wegener
Davies	Keefe, S.	Nelson	Setzpfandt	Willet
Dieterich	Kirchner	Ogdahl	Sieloff	
Dunn	Knaak	Olhoft	Sikorski	

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. Hanson, Kleinbaum, Perpich and Stokowski were excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received and referred to the committees indicated:

January 9, 1978

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

The following appointment to the Minnesota Pollution Control Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Burton Genis, 5941-29th Place North, Crystal, Hennepin County, has been appointed by me, effective January 2, 1978, for a term expiring the first Monday in January, 1982.

Referred to the Committee on Agriculture and Natural Resources.

January 10, 1978

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

Ruth Cain, 3548 Holmes Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective January 10, 1978, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Commerce.

January 10, 1978

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

David R. Conkey, 4360 Brookside Court, #205, Edina, Hennepin County, has been appointed by me, effective January 3, 1978, for a term expiring the first Monday in January, 1981.

Referred to the Committee on Governmental Operations.

January 10, 1978

The following appointment as Director of the Consumer Services Division of the Department of Commerce is hereby respectfully submitted to the Senate for confirmation as required by law:

Tobey Lapakko, 1671 South Victoria Road, St. Paul, Ramsey County, has been appointed by me, effective February 1, 1978, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Commerce.

January 11, 1978

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

Eugene Schroeder, 2757 Upland Court, Plymouth, Hennepin County, has been appointed by me, effective January 10, 1978, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Commerce.

January 11, 1978

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

Marian Keith, R.R. 2, Rochester, Olmsted County, has been appointed by me, effective January 3, 1978, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Education.

January 17, 1978

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

Michael O'Donnell, 201 Maryknoll Drive, Stillwater, Washington County, has been appointed by me, effective July 29, 1977, for a term expiring the first Monday in January, 1979.

Referred to the Committee on Employment.

Sincerely,  
Rudy Perpich, Governor

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Peterson, Setzepfandt, Hanson, Strand and Willet introduced—

S. F. No. 1622: A bill for an act relating to game and fish; requiring a trout stamp; providing for disposition of the proceeds; appropriating funds; amending Minnesota Statutes 1976, Section 98.46, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S. F. No. 1623: A bill for an act relating to health; ambulance licensing law; providing that certain licenses are valid.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 1624: A bill for an act relating to highway traffic regulations; arrest; procedures; notice to appear; authorizing release of certain traffic and motor vehicle law offenders upon written promise to appear in court, and specifying procedures upon non-appearance; providing for the suspension of driving privileges for violation of the written promise to appear; authorizing the commissioner of public safety to enter into reciprocal agreements; amending Minnesota Statutes 1976, Sections 169.91, Subdivisions 1 and 3; 169.92; 171.01, Subdivision 13; and 171.18.

Referred to the Committee on Judiciary.

Mr. Nichols introduced—

S. F. No. 1625: A bill for an act relating to school districts; abolishing certain attendance options for children of persons owning land in more than one district; requiring attendance in the school district of residence; repealing Minnesota Statutes 1976, Section 120.065; and Minnesota Statutes, 1977 Supplement, Section 123.39, Subdivision 5a.

Referred to the Committee on Education.

Mr. Nichols introduced—

S. F. No. 1626: A bill for an act relating to the Lincoln-Pipestone and Rock county rural water systems; providing for the assessment of costs.

Referred to the Committee on Local Government.

Messrs. Vega, Davies, Mrs. Staples and Mr. Tennessen introduced—

S. F. No. 1627: A bill for an act relating to Minnesota Statutes; words and phrases; including Commonwealth of Puerto Rico within the definition of state; amending Minnesota Statutes 1976, Section 645.44, Subdivision 11.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Merriam; Stokowski and Frederick introduced—

S. F. No. 1628: A bill for an act relating to taxation; property tax; providing for delay in increased valuation on certain rehabilitation projects.

Referred to the Committee on Energy and Housing.

Messrs. Chmielewski, Schrom, Hughes, Olhoff and Sieloff introduced—

S. F. No. 1629: A bill for an act relating to medical assistance; abortion services; limiting funding; amending Minnesota Statutes 1976, Sections 256B.02, Subdivision 8; 393.07, by adding a subdivision; Chapters 256B, by adding sections; and 261, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Strand; Stokowski and Sikorski introduced—

S. F. No. 1630: A bill for an act relating to elections; providing certain safeguards against improper voter registration and casting of absentee ballots; prescribing certain duties for the secretary of state; prescribing penalties; amending Minnesota Statutes 1976, Sections 201.121; 201.15; 201.27; 204A.14, Subdivision 2; 207.06; 207.08; and Chapter 201, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 201.061, Subdivision 3; 201.071, Subdivision 4; 204A.13, Subdivision 2; 204A.175; 207.02; 207.03; and 207.11.

Referred to the Committee on Elections.

Messrs. Penny, Nichols, Merriam, Strand and Chmielewski introduced—

S. F. No. 1631: A bill for an act relating to highway traffic regulations; requiring motorcycle helmets; amending Minnesota Statutes, 1977 Supplement, Section 169.974, Subdivisions 2 and 4; repealing Laws 1977, Chapter 17, Sections 3 and 5.

Referred to the Committee on Transportation.

Mr. Johnson introduced—

S. F. No. 1632: A bill for an act relating to taxation; changing the income tax deduction for trade or business expenses to include cost and upkeep of work clothes; amending Minnesota Statutes 1976, Section 290.09, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 1633: A bill for an act relating to energy; authorizing the harvesting of firewood on highway and public utility rights of way; amending Minnesota Statutes 1976, Section 160.22, Subdivision 9.

Referred to the Committee on Energy and Housing.

Messrs. Johnson, Solon, Stokowski and Willet introduced—

S. F. No. 1634: A bill for an act relating to taxation; providing an income tax credit for senior citizens who pay residential heat-

ing costs; providing rebate for persons with credit in excess of tax liability; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Johnson and Solon introduced—

S. F. No. 1635: A bill for an act relating to St. Louis county; limiting the manner in which costs to collect a judgment may be defrayed; amending Laws 1961, Chapter 302, Section 3.

Referred to the Committee on Local Government.

Messrs. Solon and Johnson introduced—

S. F. No. 1636: A bill for an act relating to education; school aids; providing for additional aid for school year 1978-1979 for certain isolated districts.

Referred to the Committee on Education.

Mr. Johnson introduced—

S. F. No. 1637: A bill for an act relating to political subdivisions; authorizing loans to acquire town halls; amending Minnesota Statutes, 1977 Supplement, Section 465.73.

Referred to the Committee on Local Government.

Messrs. Johnson, Solon and Willet introduced—

S. F. No. 1638: A bill for an act appropriating funds annually for WATS incoming lines to serve state offices.

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

Mr. Benedict introduced—

S. F. No. 1639: A bill for an act relating to highways; designating the Hubert H. Humphrey Highway; amending Minnesota Statutes 1976, Section 161.14, Subdivision 13, and by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Knoll, Lewis, Kirchner, Humphrey and Willet introduced—

S. F. No. 1640: A bill for an act relating to housing; providing for a study of housing needs of the handicapped; appropriating money.

Referred to the Committee on Energy and Housing.

Messrs. Dieterich; Stumpf; Nichols; Ueland, A. and Anderson introduced—

S. F. No. 1641: A bill for an act relating to community colleges; authorizing one additional member for the state board; requiring that one member be a student; amending Minnesota Statutes 1976, Section 136.61, Subdivisions 1 and 1a.

Referred to the Committee on Education.

Mr. Solon introduced—

S. F. No. 1642: A bill for an act relating to agriculture; grain inspection; weighing, sampling and analysis; amending Minnesota Statutes 1976, Sections 17B.03, Subdivision 1; 17B.04, Subdivision 1; and 17B.13.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S. F. No. 1643: A bill for an act relating to agriculture; corn detasseling employees; providing minimum labor standards; amending Minnesota Statutes 1976, Section 177.23, Subdivision 7; and Chapter 181, by adding sections.

Referred to the Committee on Employment.

Mr. Sikorski introduced—

S. F. No. 1644: A bill for an act relating to hazardous wastes; placing certain restrictions on site selection for disposal facilities in the metropolitan area; amending Minnesota Statutes 1976, Section 473.516.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski; Ulland, J.; Anderson; Moe and Lessard introduced—

S. F. No. 1645: A bill for an act relating to veterans; providing tuition assistance; providing a study of academic credit for military training and experience; appropriating money; amending Minnesota Statutes 1976; Section 197.75, Subdivisions 1 and 2.

Referred to the Committee on General Legislation and Veterans Affairs.

Mr. Chmielewski introduced—

S. F. No. 1646: A bill for an act relating to human rights; providing for selection of deputy commissioners of the department of human rights; amending Minnesota Statutes 1976, Section 363.04, Subdivision 2.

Referred to the Committee on Governmental Operations.

**REPORTS OF COMMITTEES**

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 17, 1978:

**DEPARTMENT OF NATURAL RESOURCES****COMMISSIONER**

William Nye

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Willet moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 17, 1978:

**DEPARTMENT OF AGRICULTURE****COMMISSIONER**

Bill Walker

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointments as reported in the Journal for May 2, 1977:

**MINNESOTA ENVIRONMENTAL EDUCATION BOARD**

Thomas A. Powell

Merrill Fellger

Dr. Paul O. Walker

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 17, 1978:



**MINNESOTA ENVIRONMENTAL EDUCATION BOARD**

Julia Copeland

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

**APPOINTMENTS**

Mr. Coleman from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 65: Messrs. McCutcheon; Davies; Lewis; Keefe, J., and Sikorski.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Mr. Nelson moved that his name be stricken as co-author to S. F. No. 1527. The motion prevailed.

Mr. Vega moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1568. The motion prevailed.

Mr. Johnson moved that the names of Messrs. Solon and Sikorski be added as co-authors to S. F. No. 1574. The motion prevailed.

Mr. Vega moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1577. The motion prevailed.

Mr. McCutcheon moved that the names of Messrs. Setzepfandt, Johnson and Nelson be added as co-authors to S. F. No. 1581. The motion prevailed.

Mr. McCutcheon moved that the names of Messrs. Setzepfandt, Johnson and Nelson be added as co-authors to S. F. No. 1582. The motion prevailed.

Mr. Ueland, A. moved that the names of Messrs. Stokowski and Renneke be added as co-authors to S. F. No. 1590. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Dieterich be added as co-author to S. F. No. 1592. The motion prevailed.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1593. The motion prevailed.

Mr. Benedict moved that the names of Messrs. Humphrey; Sikorski and Ulland, J. be added as co-authors to S. F. No. 1594. The motion prevailed.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1595. The motion prevailed.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1596. The motion prevailed.

Mr. McCutcheon moved that the names of Messrs. Solon and Sikorski be added as co-authors to S. F. No. 1598. The motion prevailed.

Mr. Merriam moved that his name be stricken as chief author and Mr. Schaaf be added as chief author to S. F. No. 304. The motion prevailed.

Mr. Jensen moved that his name be stricken as co-author to S. F. No. 1186. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Vega be added as co-author to S. F. No. 1643. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Vega be added as co-author to S. F. No. 1644. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:30 o'clock a.m., Monday, January 23, 1978. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate