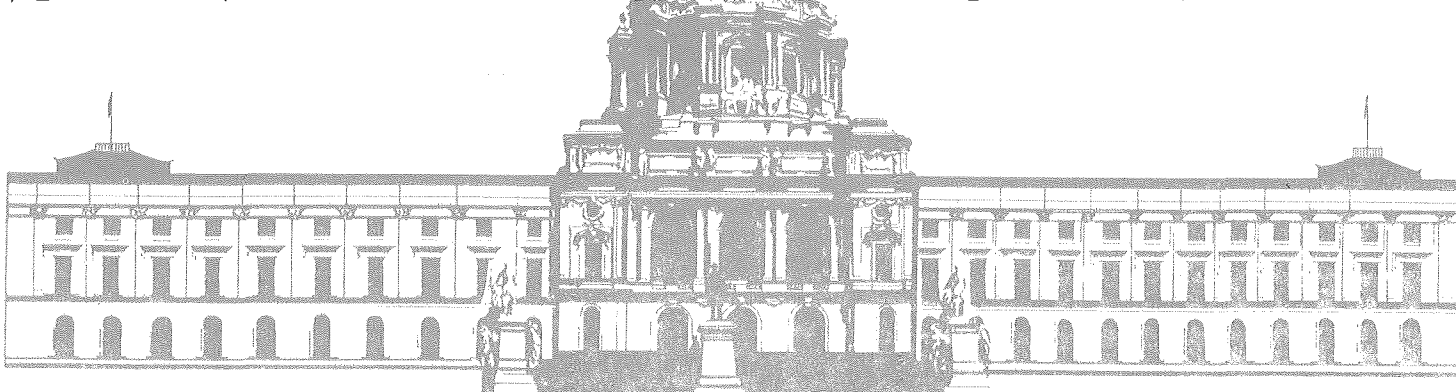


75, March 25

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SENATE PERSPECTIVE '75



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SENATE PUBLIC INFORMATION OFFICE

Task Force Ponders High Cost Education

A unique Ad Hoc Advisory Task Force formed by state senator Jerome Hughes (Maplewood) has completed initial studies of high cost school districts which currently boast declining school enrollments.

Meeting Thursday evenings since the first part of February, the Task force is composed of interested and concerned citizens representing several occupational fields. They share a common goal, however — their desire to study and discuss alternative methods which might help alleviate burdens high cost school districts face today. Several task force recommendations are now under study by the Education committee.

Essentially, the task force was asked to consider two tasks; the first an in-depth study relative to the problems of high cost school districts with declining enrollments; the second, a study and recommendations relative to partial state funding for school buildings.

According to committee member Hugh Madson, group insurance salesman, "it has been an excellent vehicle for those of us who are interested in working with the legislature — all of us have worked together to share ideas and serve as an input into the system."

Madson says that the main premise of the task force is the opportunity to help legislators in their pursuit of good, far-ranging legislation.

"Basically, we are the people who decided "how" things work — how do you do it — how do you arrive at a solution? The discussion is free-wheeling, uninhibited."

Touching on a whole range of issues from capital outlay to teacher retirement plans, the task force recommendations will, in the words of Hughes, "be

given full consideration by the Legislature."

Hughes believes that recommendations regarding teacher retirement, capital outlay and inter-district tuition payments will receive wide support while proposals which deal with property tax levies might well face opposition within the committee.

In an effort to allow school districts to make room for new teachers, one recommendation is that teachers who have been employed full time for at least ten years, and for the past five consecutive years, be allowed to retire before age 65 at full retirement pay. Retired teachers could also opt for five year part-time contracts with districts.

"This plan," says Hughes, "would allow senior teachers to slowly remove themselves from teaching without an immediate and drastic loss of income or activity. As new teachers filter into school districts, semi-retired teachers could still be available to share their experience and expertise."

Although the early retirement plan is

generally supported by task force members, Bob Bonine, committee chairman, emphasizes that this particular recommendation is a long-range proposal and would have no immediate impact on current problems of high-cost school districts.

Another task force recommendation provides more flexible use of capital outlay funds, and limits the amount a school district can be required to pay for students enrolled outside the district. The proposal extends the use of such funds for various purposes including computer leasing fees, textbooks, library books, music and athletic equipment and telephone costs.

Because a loss of student enrollment means a cut in state aid at a rate faster than staffing and other program adjustments can be made if basic educational services are to be continued, the task force recommends that districts be provided a support percentage increase from the current 50% to 66-2/3% of pupils lost.

(continued on page 5)



Senate Education chairman Jerome Hughes meets with Ad Hoc Task Force at Thursday evening session.

SENATE COMMITTEE CORNER

SENATE COMMITTEE CORNER — NEWS IN BRIEF

Senate committees and subcommittees met around-the-clock last week to consider a virtual flood of bills before the April 19 cutoff date to hear Senate-authored legislation. Only the Taxes and Tax Laws committee and Finance committee can now consider legislation authored by Senate members.

From now until the end of the Session (on or around May 19), Senate committees will tackle legislation passed by the House, and the House will hear bills which have been okayed by the Senate.

Education Committee

Of major import, education committee members gave final approval to a whopping \$1.6 billion public school appropriation, a \$300 million increase in educational funding over the current biennium. The measure increases basic foundation aid from \$825 per pupil to \$890 for the first year and up to \$950 for the second.

Also scheduled for Senate consideration is a \$12 million package to aid children attending private and parochial schools. The monies cover costs for textbooks, films, counseling, speech and hearing therapy and other non-religious activities.

Before any bill is signed into law, it is likely that a conference committee of House and Senate members will meet to iron-out differences in legislation.

Governmental Operations Committee

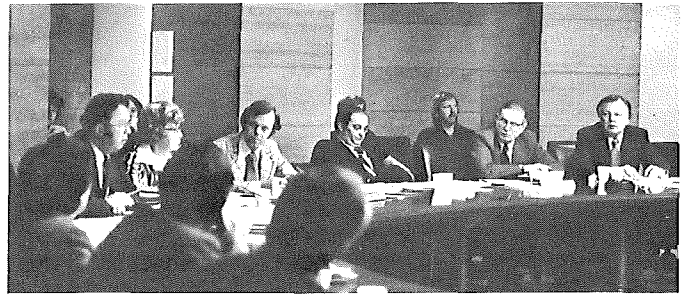
As Boards, commissions and different government agencies dominate the growing state bureaucracy, Governmental Operations committee members deliberated at length this month to devise a plan which abolishes some boards and reassigns duties of others in an effort to make government more efficient. Several pieces of legislation are now before the Senate and a few measures have already passed to the House.

The committee also approved and sent to the floor a bill which establishes a "council on the family", its main task to look at the impact of state programs on the family. Unlike most councils which are appointed by the Governor, the Family Advisory Council would be responsible to the Legislature. It would consist of 10 legislators and nine representatives from the public and family service agencies.

Also okayed were bills which establish standards for state management level employees and several measures relating to the bicentennial celebration planned for 1976.

Taxes and Tax Laws

Although no major tax package has yet been approved by the Taxes and Tax Law committee, action is expected soon. One of the problems facing the committee is the number of bills under consideration — and all boast different approaches to ease tax burdens for Minnesotans. Current proposals include an expansion of the working poor tax bill passed in 1974, and a proposal for the state to take over 90% of welfare payments.



From left to right: Senators Ed Gearty, Winston Borden, Dave Schaaf, Robert Ashbach, J. Robert Stassen.

To date, the committee has voted out several bills including an increase in the inheritance tax exemption for both husbands and wives, and legislation which allows for further tax breaks for families with children attending parochial and private schools.

The tax exemption for private education removes the current \$200 limit on the amount that can be deducted from taxable income and allows families to deduct the actual amount spent on textbooks, transportation and tuition.

The inheritance tax exemption raises the amount of money that could be inherited by either a husband or wife to \$60,000 before being subjected to state income taxes.

Natural Resources and Agriculture

While all attempts to pass returnable container legislation (ban-the-can) out of committee have failed, several bills of import are now pending final Senate action.

In a move to discourage the Reserve Mining Company from dumping taconite tailings in Lake Superior, the committee approved a bill which imposes a 50¢ fee per ton on tailing deposited into the lake. By July 1, 1978, the fee would be raised to \$3 per ton.

A major corporate farm bill is also before the Senate — its purpose to limit large farming corporations from purchasing additional farm lands and thus making it all the more difficult for small farmers to compete in agricultural markets. Under the bill, farming corporations would have until 1978 to purchase or lease additional farm lands above original holdings.

Other bills now before the Senate include legislation to create the position of state archeologist, and a bill permitting county boards to sell forfeited land to veterans for agricultural purposes.

Health, Welfare, and Corrections

Although progress continues on two major proposals, one to close state institutional facilities and the other passage of catastrophic health insurance, it may be some time before legislation is readied for final Senate approval. As of now, legislation which requires insurers to offer an insurance package for "uninsurables" and poor risks, and a bill which provides for a risk pool with a minimum benefits package is before the Finance committee.

The committee also acted favorably on several bills designed to aid low-income families including a bill to up eligibility standards for AFDC applicants.

Legislation that allows private corporations to lease buildings at state correctional institutions for the purpose of operating a factory employing inmates, and a bill that sets minimum standards for management and physical conditions of state correctional institutions is now before the Senate.

The reappointment of Vera Likins as Commissioner of the Department of Public Welfare drew heated debate in committee where the appointment was approved in a close vote. Mrs. Likins was subsequently confirmed by the Senate in a 35-27 vote.



Senators Schaaf, Humphrey and Stowkowski study amendments on bill.

Labor and Commerce

One of the busiest committees this past month, Labor and Commerce okayed a measure which provides for a statewide referendum on legalized gambling and, if passed by the voters, a gambling commission to oversee and regulate gambling practices. A related bill to allow pari-mutual betting on horse races at the state fairgrounds did not muster enough votes to pass to the Senate.

To aid consumers, the committee also approved a "truth in repairs bill" which requires any repair shop to make good estimates while prohibiting unauthorized work. Also approved is a bill that creates a legislative study commission to consider the state usury law which currently boasts an 8% interest ceiling on home mortgages and other loans, and legislation to provide a \$5 million loan fund to small business to be administered by the state economic development commissioner.

A bill which requires first dollar coverage for outpatient mental health treatment covering 90% of medical costs up to \$600.00 is also waiting final Senate action.

Metropolitan and Urban Affairs

Metropolitan and Urban Affairs committee members acted on two important bills this month. One provides for the development of garbage recycling centers designed to recover potentially reusable materials which are dumped in landfills in the metro area. Another sets rules and regulations which determine what projects in the metropolitan area are of metro significance, and what the project's impact is on metro systems such as transit, sewers, parks and open spaces.

Another measure to provide additional tax money to the Metropolitan Council passed to the floor.



The Citizens Ad Hoc Task Force met Thursday evenings to discuss alternative methods for easing burdens of high-cost school districts.

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Sen Rolf Nelson

Judiciary

A bill to raise the official drinking age from 18 to 19 moved out of the Judiciary committee this month as did a proposal to create a legislative commission on Privacy.

The commission, after interim study, would recommend to the legislature what information concerning individuals should be made public and what should remain confidential.

Handgun control legislation passed by a 2 to 1 margin earlier in the month and was referred to Finance and then to Rules before reaching the floor.

Also before the Senate is a major Uniform Probate Code reorganization bill.

Transportation and General Legislation

Among bills passed by the Transportation committee is a proposal to raise \$56 million in funds for road construction through the sale of bonds. Also before the Senate is a motor vehicle inspection proposal which, by random selection, would provide inspection for 10% of cars in the state. At present over 30 states have a motor vehicle inspection law.

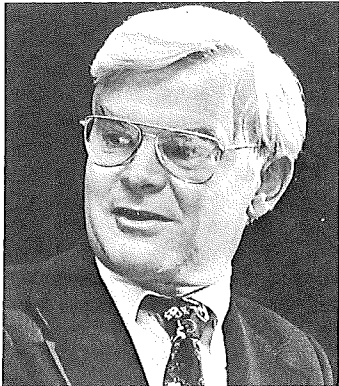
The committee also acted favorably on a bill which establishes a railroad track inspection program to work in conjunction with the federal rail safety act. Another measure allows challengers to public office a 20% spending allowance over and above the amount spent by an incumbent. Legislation also passed that provides for training of election judges by the Secretary of State.



John Chenoweth and Tony Perpich confer in committee meeting.

Tax Proposals Abound

by Nicholas Coleman
Senate Majority Leader



Nineteen seventy-five was supposed to be the year of the GREAT TAX REFORM. So far, it looks like it will be the year in which U.S. flags are exempted from sales tax. This situation is not due to a lack of proposals; rather it's because of their abundance. What's happened is that tax theoreticians of all stamps have been "turned loose" and the legislature has been presented with a welter of proposals to restructure all or part of our entire tax system. Property taxes might be lowered in accordance with a formula that is not well understood by much of anyone; income taxes might be lowered or "indexed"; the income tax liability forgiveness for the working poor might be extended; local government welfare costs might be taken over by the state; new housing starts might be given a state subsidy; state taxes shared with localities might be increased sharply; taxes on businesses might or might not be lowered, and so on and so forth. In short, there is no shortage of suggestions. What there presently is, is a shortage of comprehensive workable programs containing the best elements of the various concepts thrust at the legislature.

Most of the programs have some merit; some of them have a great deal of merit; but all of them can't become law because there just ain't enough money to fund each and every one.

In looking over all the various proposals, you have to keep two things in mind: what do you want to accomplish through our state tax policy, and what can you afford. When you think about this, it seems obvious that it's pretty pointless to be considering specific remedies before the problem has been spelled out to at least a reasonable degree.

These are peculiar times. The combination of inflation in costs and reces-

sion in economic activity is perhaps unprecedented. Noted economists urge us to follow one course while encouraging the federal government to follow another. (We are faced with the anomaly of a noted economist urging a tax rebate by the federal government, which is heavily in debt, while supporting over-taxation by the state government, which is wallowing in money. Clearly there is madness in the air.)

Alas, since the experts seem bankrupt of ideas, we are thrown back on our own resources. Everybody's got problems, but which are most soluble by government action, and which should we attempt to address.

First, it seems pointless to tax the meager income of those who are making little more in wages than they would by dropping out of the system and going on welfare. It just doesn't make much sense.

Second, it has been recognized by a U.S. Senate Commission (long after our loyal and diligent Senate staff discovered the same) that of all the elements contributing to inflation higher taxes led the list. Clearly, consideration should be given if at all possible to lowering taxes or at least using tax revenue in the most effective possible way for stimulating the economy and delivering good value for the cost.

Third, the burden of taxation on the essential of life should be lifted as far as possible. The sales tax recognizes this consideration, but the property tax doesn't. The levy of the homestead exemption no longer bears any relationship to reality, and renters get little worthwhile benefit. It's a bit hard to understand why food should be tax exempt when local government depends largely on housing for its revenues. (No! I am not for taxing food) Why should the way in which a person spends his money have any bearing on his responsibility for financing local government? Clearly, ability to pay is no longer a factor. It's all pretty sad.

One partial solution to this dilemma is to relieve local governments (which are rapidly going broke) of whatever responsibilities they might have which could better be performed by the state. Takeover of welfare costs by the state would be a good start. Clearly, welfare cost is a national problem, but no national solution is on the horizon. Great cities have been bankrupted by their well-motivated attempts to provide adequate care for their citizens, which leads people to flock from around

the nation to join the beneficiaries. It's not fair to the locality and it's not fair to the recipients. The disabled and the poor should not have to shop round for sustenance. Equally clearly, a locality with a high proportion of welfare recipients, which of necessity must have proportionately fewer affluent taxpayers to support them, should not be forced to foot the bill.

These are the goals towards which the legislature should be moving. No single bill being considered today is addressed to all these goals. At the present time the Senate staff, (loyal, diligent and supremely competent) is sorting through the introduced bills to take the best of each viable proposals and augment them where necessary. Soon we will be able to look at a comprehensive proposal to cure Minnesota's ills. (Well, that's a gross exaggeration, but we're trying.)

The Governor has submitted a tax program concentrating on "stabilizing" property tax. The program would (a) return the gross earnings taxes paid by railroads and utilities to local governments; (b) compensate local governments for loss of tax revenue due to low assessment rates for certain disabled homeowners; (c) increase the 25% assessment rate on homesteads from the first \$12,000 to the first \$14,000, and provide for a floating formula for further modifications; and (d) implement some sort of "circuit-breaker" property tax to tax property owners more on the basis of their ability to pay than has been the case before.

All of this is laudable, assuming that it works. However, most of those programs are still pretty sketchy. The bills to implement them are not technically adequate. Besides, some questions can be raised on the merits, among them being: (1) Should we concentrate solely on property tax relief when all the various taxes are skyrocketing, as a quick glance at the state treasury will tell you? (2) Assuming that gross earnings taxes are to be returned to the localities, why not do it on the basis of need rather than on the basis of how many miles of railroad track there are in a given county? (3) If the rationale is that it's only fair to return tax revenues to the land of their origin, why not carry that way of thinking to its logical extreme and return everybody's taxes and close down the state government? (Back . . . back ye hopeful mob) The point is that we have the opportunity to parcel out a lot of aid to localities as it's needed, and perhaps we shouldn't blow that chance by just plugging more dollars into existing formulae.

At any rate, gentle reader, we have to do something. Let me predict what we absolutely will . . .

(Listen in next week)

A Return To Spoils System?

by Robert O. Ashbach
Senate Minority Leader



I would like to comment on a Senate bill that introduces a new concept into state government in Minnesota. I am referring to the bill that would have commissioners and administrators who are appointed by the governor to serve "at his pleasure" during their term of appointment.

Previous to 1973, generally the governor's appointments were confirmed by the Senate for a term (usually four years) and could be removed only "for cause after notice and hearing." The language of the new legislation, at this writing, does not even include "for cause, after notice and hearing." A

commissioner would serve only "at the pleasure of" the governor.

Regardless of the specific wording on cause and hearing, I oppose the entire concept of serving at the pleasure of for several reasons.

1. One of the reasons we have three branches of government is to provide checks and balances. This historical system was set up, not necessarily to be a negative check upon the executive or legislature, but as a positive influence so that the two branches could participate in one another's activities.

The legislature's participation will be almost meaningless if, after confirming a commissioner, the governor could fire him at any time. The legislature could advise and consent, and then the governor could throw him out. There is a chance that the department head would not be as comfortable in telling the legislature what needs correcting.

2. The power of the governor's office has grown through the years. A governor now makes over 1,000 appointments, far too many. The "at the pleasure of" provision in the appointment of commissioners increases the power of the executive branch.

3. We must give our state commissioners and department heads the freedom to make policy decisions without the threat of control by a gover-

nor. The whole business of running our million dollar departments could, in many cases, turn into undesirable gamesmanship between the governor and department head. Should a commissioner push for a bold, new plan, even though he has an idea the governor is inclined not to favor such a plan? When a policy maker knows he is responsible to the legislative and executive branches, initiative will less likely be stifled. House File 109 would allow a governor to remove him "at his pleasure."

4. State government needs talented department heads, and we ask them to serve the people of this state for salaries that are often below what they would receive in business, labor, and industry.

What kind of people are we going to attract when they know that if they become controversial they are only serving "at the pleasure of" a governor?

Where is the security? There is probable assurance anyway that one's appointment might not be renewed at the end of a term if an appointee steps "too far out of line" in responding to the wishes of the executive and legislature. But a day-to-day job security threat will stifle initiative and, in the long-run, attract fewer capable people.

5. The concept smacks of a return to the spoils system. It doesn't matter which political party or what man holds the governor's office, the lessons are clear from the past. Government by favor, patronage, whim and caprice has a much better chance to operate in Minnesota if department heads serve strictly at the pleasure of the governor.

Ad Hoc Task Force

(continued from page 1)

Another issue which concerns the committee is the grandfather levy which was incorporated as part of a new system of school finance to enable school districts that have maintenance costs considerably over the average to maintain their programs without either excessive state aids or drastic curtailment.

The committee recommends that to minimize inflation effects upon the levy, the millrate for the grandfather levy for districts other than cities of the first class (cities with populations exceeding 100,000) be frozen at the 1974 level on assessed valuation rather than the EARC (Equalizing Formula and Categorical Aids).

Bonine thinks the Task Force is productive and is proud of "the ability of the committee to get a handle on specific issues."

Tentative plans call for the committee to meet during the summer to continue discussions with the hope of forwarding more recommendations to be considered by the legislature next year.

Amended Bill Voted Out Of Rules Committee

Handgun Control Advances To Floor

The long-debated handgun control bill is now before the Senate — this after the Rules committee okayed the bill with no forwarding recommendation to be placed on General Orders for debate.

Although in its journey through Senate committees, the bill realized several amendments, its basic tenets are still intact. The legislation requires a 14-day waiting period for any person who wishes to obtain a handgun and prohibits the sale of guns to anyone with mental, drug or alcohol-related problems.

Main opposition to the bill is not aimed solely against provisions of the bill itself, but rather what spokesmen for the Minnesota Right to Bear Arms group claim is "a foot in the door which will lead to further gun-control legislation."

Although the bill weathered hearings by the Judiciary committee where it passed by a 2 to 1 margin, it ran into trouble in the Finance committee when members refused to approve funding for certain sections.

Bill author Nicholas Coleman (St. Paul) amended the measure, further striking provisions which necessitate funding. As it stands now, the bill does not require fingerprinting of persons who wish to purchase a handgun, nor does it require filing permits with the state Bureau of Criminal Apprehension. Also excluded is a provision that requires dealer licensing.

Under the bill, cities such as St. Paul, Minneapolis and Duluth would be allowed to enforce local handgun ordinances which are more restrictive than those contained in Coleman's bill.

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Senate Scoreboard

Major legislation passed between April 1-21

Senate Bills Passed To House

A bill which:

requires real estate brokers and salespersons to take additional educational courses before receiving a license; provides license exemptions for sellers of franchises and provides for reciprocity for licensees from other states

redefines scope of review organizations to gather and review information relating to care and treatment of patients

allows a person to submit a petition in lieu of a filing fee when seeking public office

authorizes automobile insurers to refuse to issue a new policy if an insured person fails to pay a renewal premium

permits any organization, association or society licensed by the Dept. of Public Welfare to receive payment for expenses for adoption services and child-caring services

requires coverage of emotionally handicapped children in health benefit plans

exempts certain vehicles (such as those used exclusively by educational institutions for transportation) from registration, taxation and licensing requirements

requires use of mud-flaps on most trucks including most dump trucks and truck tractors not carrying trailers

requires towns to file financial reports with the state auditor

abolishes absolute preference for veterans seeking government jobs; veterans would be allowed 5 bonus points and disabled veterans 10 bonus points on civil-service tests. **(Also approved by House — sent to Governor)**

eases current 8 percent usury law during times of high inflation and high interest rates; permits state-chartered banks to make loans at 1 percent more than the Federal Reserve discount rate

authorizes the Commissioner of Natural Resources to acquire land along canoe and boating routes

exempts persons under 18 who deliver flyers door to door from the minimum wage law

requires sheriffs and chiefs of police to issue permits for persons who wish to use explosives

requires any places serving meat substitutes to so indicate on menus, etc.

outlaws baiting of bear by using bottles, cans, plastic, paper, wood, etc.

allows school districts to invest funds which are currently not in use

requires school districts to file with the Commissioner of Education a report of energy consumed by the school district each year

removes racoons from the unprotected list and provides for a seasonal hunting period

okays the use of portable fish houses within the boundary waters canoe area

permits on-sale liquor licenses to certain establishments, primarily non-profit organizations

requires scuba divers to post red diving flags above water as a warning to boaters

authorizes municipalities authority to construct flood prevention or control facilities on certain bodies of water

provides regulation for advisory councils, boards and commissions names and renames certain state agencies, boards, commissions, committees and councils

exempts United States flags from the sales and use tax

requires reports to the department of employment services be in the same name as appears on the employer's payroll checks

prohibits sale of beverage containers with detachable pulltops after July 1, 1976

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	requires certain group insurance policies and plans to provide certain benefits for outpatient mental health treatment	60-0
	requires self insurers offering certain health care plans to provide certain benefits for treatment of alcoholism, chemical dependency and drug addiction	59-0
64-1	clarifies the power of county boards to construct flood control projects under current drainage laws	55-1
	increases the percentage of unrefunded gasoline excise taxes attributable to snowmobile operation	47-10
65-0	authorizes towns to acquire land for park and recreation purposes	57-0
47-17	increases compensation and mileage allowance for jurors	50-8
	provides for the filling of vacancies in the office of county commissioner	59-0
65-0	provides for the filing and posting of storage rates and other charges assessed by public local grain warehousemen	59-0
65-0	modifies the hours of operation of a watercraft towing a person	56-1
	permits the Seaway Port Authority of Duluth the authority to buy, lease or contract for vessels	37-21
65-0	changes requirements and procedures for obtaining certificates of need for health care facilities	60-0
64-1	raises limitations on values of timber which may be sold by informal sale; reduces the value of timber which may be sold at auction	56-1
HOUSE BILLS APPROVED — SENT TO GOVERNOR		
41-18	allows women to retain their maiden names after marriage and to regain their family name after divorce	38-24
58-1	allows cities to provide decorations, signs, plaques and other accessories for public streets, buildings and parks	65-0
44-15	regulates student discounts on automobile insurance, requires that all post high school students attending any accredited school be allowed equal benefits	65-0
50-12	provides grant relief to individuals or families adversely affected by major disasters; to be implemented in conjunction with federal relief laws	64-0
55-4	provides for location and zoning regulation of residences for mentally retarded and physically handicapped persons	59-1
55-9	establishes the classification of collector's vehicles and provides for their registration and taxation	59-1
63-2	establishes standards required for admission as evidence relating to the speed of a motor vehicle through radar or other speedalyzer devices	43-16
53-9	postpones the deadline for start of energy conserving building design and construction standards by the Commissioner of Administration	60-0
64-1	appropriates money to the Department of Administration for the restoration and rehabilitation of the capitol building	62-1
65-0	provides for the regulation of publications, duplicating services, guidebooks, state vehicles, disposition of surplus state lands	62-2
59-6		
58-4	GOVERNOR'S APPOINTMENTS APPROVED BY THE SENATE	
	John Knapp to State Tax Court	
40-24	Kenneth Sovereign to the Occupational Safety and Health Review Board	
	Sherry Chenoweth as Director of the Division of Consumer Services, Department of Commerce	
42-19	Russell Green as Commissioner of the Department of Veterans Affairs	
	Vera Likins as Commissioner of the Department of Public Welfare	
64-0	Toyse A. Kyle to State Board of Community Colleges	
	Darwin Draisey to State Board of Electricity	
58-0	Howard Casmeay, Richard Hawk, Ruth Myers, Dr. Karl Grittner to Education Commission	
	Richard Brubacher as Commissioner of the Department of Administration	
53-6	Stella Jensen, Vincent Kubiak, Reverend Bruce Buller, Curtis Chivers, Helen Gamrad, Earl D. Craig, Manuel Guerrero and Jose Valdez to State Board of Human Rights	
60-0	Edward Ziegler as Commissioner of the Department of Finance	
56-5	Dr. George Arvidson, Helen Lee, Theodore Garcia, Elizabeth Kalisch, Dr. Vincent O'Malley, Jr., John Westerman, Dr. Arlan Simi to the State Board of Health	
60-0	Elizabeth Ebbott, Rosemary Davis, Stanley W. Holmquist, Judge Spencer Sokolowski, David Durenberger, Irene Scott to State Ethics Commission.	