

## STATE OF MINNESOTA

## SEVENTY-THIRD SESSION - 1983

## EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 27, 1983

The House of Representatives convened at 2:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Father Patrick Lannan, Nativity of Our Lord Catholic Church, St. Paul, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Findlay	Krueger	Piepho	Solberg
Anderson, R.	Fjoslien	Kvam	Piper	Sparby
Battaglia	Forsythe	Larsen	Price	Stadum
Beard	Frerichs	Levi	Quinn	Staten
Begich	Graba	Long	Quist	Sviggum
Bennett	Greenfield	Ludeman	Redalen	Swanson
Bergstrom	Gruenes	Marsh	Reif	Thiede
Berkelman	Gustafson	McEachern	Rice	Tomlinson
Bishop	Gutknecht	McKasy	Riveness	Tunheim
Blatz	Halberg	Metzen	Rodosovich	Upphus
Brandl	Haukoos	Minne	Rodriguez, C.	Valan
Brinkman	Heap	Munger	Rodriguez, F.	Valento
Carlson, D.	Heinitz	Murphy	Rose	Vanasek
Carlson, L.	Himle	Nelson, D.	St. Onge	Vellenga
Clark, J.	Hoberg	Nelson, K.	Sarna	Voss
Clark, K.	Hoffman	Neuenschwander	Schafer	Waltman
Clawson	Hokr	Norton	Scheid	Welch
Cohen	Jacobs	O'Connor	Schoenfeld	Welker
Coleman	Jennings	Ogren	Schreiber	Welle
Dempsey	Johnson	Olsen	Seaberg	Wenzel
DenOuden	Kahn	Omann	Segal	Wigley
Eken	Kalis	Onnen	Shaver	Wynia
Elioff	Kelly	Osthoff	Shea	Zaffke
Ellingson	Knickebocker	Otis	Sherman	Speaker Sieben
Erickson	Knuth	Pauly	Simoneau	
Evans	Kostohryz	Peterson	Skoglund	

A quorum was present.

Anderson, B.; Burger; Dimler; Jensen; Mann and McDonald were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Redalen moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 66 have been placed in the members' files.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Otis, Staten, Elioff and Sieben introduced:

H. F. No. 101, A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments; proposing new law coded as Minnesota Statutes, chapter 583.

The bill was read for the first time and referred to the Committee on Judiciary.

Bergstrom, Begich, Voss and Anderson, G., introduced:

H. F. No. 102, A bill for an act relating to agricultural and residential homesteads; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the legislature; postponing certain realty sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; limiting the right to maintain actions for deficiency judgments; proposing new law coded as Minnesota Statutes, chapter 583.

The bill was read for the first time and referred to the Committee on Judiciary.

Battaglia, Begich, Elioff, Minne and Solberg introduced:

H. F. No. 103, A bill for an act relating to the northeast Minnesota economic protection trust fund; authorizing expenditure of funds for job retraining; providing for administration of the distressed area emergency jobs program; appropriating money; amending Laws 1982, Second Special Session chapter 2, sections 12 and 14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stadum introduced:

H. F. No. 104, A bill for an act relating to probate; providing for certain duties of clerks of court and deputy probate registrars except in Hennepin and Ramsey counties; amending Minnesota Statutes 1982, section 524.1-307.

The bill was read for the first time and referred to the Committee on Judiciary.

Quist, Thiede, Schafer and Schreiber introduced:

H. F. No. 105, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for equality of rights under the law for men and women.

The bill was read for the first time and referred to the Committee on Judiciary.

Brandl, Battaglia, Simoneau, Sviggum and Schreiber introduced:

H. F. No. 106, A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 1982, sections 2.021; and 2.031, subdivision 1; repealing Minnesota Statutes 1982, sections 2.031, subdivision 2; and 2.041 to 2.712.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Wynia; Clark, J.; Forsythe; Cohen and Kalis introduced:

H. F. No. 107, A bill for an act relating to public welfare; requiring reporting of abuse or neglect of children; exempting determinations of eligibility for day care and foster care licenses from application of the Minnesota criminal offenders rehabilitation law; requiring arrest information and reports to be made available to the commissioner of public welfare for the purpose of investigating applicants for a day care or residential facility license; requiring denial or revocation of a day care or foster care license to be upheld by hearing examiners unless the decision is arbitrary or capricious; providing for appointment of guardianship of children whose parents are deceased and for evaluations of abusive parents; eliminating the evidentiary privilege of medical health professionals in actions or proceedings for neglect, dependency, or termination of parental rights; prohibit-

ing exclusion of evidence in any proceeding arising out of alleged neglect or physical or sexual abuse; clarifying investigative authority of welfare agencies in making mandated investigations of physical or sexual abuse and neglect; providing that whenever there is a conflict of interest under the juvenile court act, the child's interests shall prevail over parental rights; amending Minnesota Statutes 1982, sections 245.783, subdivision 3; 245.801, subdivisions 1 and 4; 260.011, subdivision 2; 260.151, by adding a subdivision; 260.242, subdivision 2, and by adding a subdivision; 364.09; 595.02; 626.556, subdivisions 8 and 10; and 626.557.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Nelson, K.; McEachern; Levi; Anderson, B., and Tomlinson introduced:

H. F. No. 108, A bill for an act relating to education; creating a legislative commission to evaluate education planning, policy development, and finance in Minnesota; appropriating money; proposing new law coded in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Education.

Clark, K.; Greenfield; Long and Staten introduced:

H. F. No. 109, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of affectional or sexual orientation; amending Minnesota Statutes 1982, sections 363.01, subdivision 24, and by adding a subdivision; 363.02, subdivision 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, and 8; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Skoglund introduced:

H. F. No. 110, A bill for an act relating to state historic sites; designating the Longfellow House in Minneapolis as a state historic site; amending Minnesota Statutes, section 138.56, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Rice, Begich, Elioff, St. Onge and Beard introduced:

H. F. No. 111, A bill for an act relating to labor; making collective bargaining agreements binding and enforceable when ownership is transferred or sold; defining transferee employer; creating certain exclusions; requiring the disclosure of collective bargaining agreements; providing for enforcement procedures; proposing new law coded in Minnesota Statutes, chapter 179.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Staten; Nelson, K.; Otis; Rice and Clark, K., introduced:

H. F. No. 112, A bill for an act relating to state monuments; adding the Governor Floyd B. Olson Monument in Hennepin County to the list of state monuments; amending Minnesota Statutes 1982, section 138.585, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, K., and Clark, J., introduced:

H. F. No. 113, A bill for an act relating to crimes; prohibiting criminal operation of a vehicle; amending Minnesota Statutes 1982, section 609.21.

The bill was read for the first time and referred to the Committee on Judiciary.

Levi; Vanasek; Nelson, K.; Clark, J., and Forsythe introduced:

H. F. No. 114, A bill for an act relating to crimes; prohibiting promotion of minors to engage in sexual performance; prohibiting dissemination and possession of works depicting minors in sexual performance; providing penalties; amending Minnesota Statutes 1982, sections 617.246; 617.247, subdivision 4; repealing Minnesota Statutes 1982, section 617.247, subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary.

Blatz and Coleman introduced:

H. F. No. 115, A bill for an act relating to crimes; modifying the insanity test; providing for post conviction determination of mental illness; providing for commitment of convicted offenders determined to be mentally ill to the concurrent custody of the commissioner of public welfare and commissioner of corrections; requiring a convicted offender determined to be mentally ill to serve first a commitment for care and treatment and then a commitment for penal objectives; providing hearings and procedures in conformance with due process for transfer of inmates under concurrent custody commitments between state regional centers and state correctional facilities; amending Minnesota Statutes 1982, sections 480.059, by adding a subdivision; 609.10; 611.026; proposing new law coded in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1982, section 609.105.

The bill was read for the first time and referred to the Committee on Judiciary.

Osthoff, Sieben and Jennings introduced:

H. F. No. 116, A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Gustafson introduced:

H. F. No. 117, A bill for an act relating to retirement; authorizing purchase of allowable service credit by certain members of the teachers retirement fund for prior service as nonpublic school teachers; proposing new law coded in Minnesota Statutes 1982, chapter 354.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Gustafson introduced:

H. F. No. 118, A bill for an act relating to workers' compensation; excluding certain taxicab drivers from coverage; amending Minnesota Statutes 1982, section 176.011, subdivision 9a.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Redalen, Sparby, Frerichs and Ogren introduced:

H. F. No. 119, A bill for an act relating to taxes; changing the capitalization rate for agricultural land; amending Minnesota Statutes 1982, section 273.11, subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, Mann and Osthoff introduced:

H. F. No. 120, A bill for an act relating to motor vehicles; providing for special license plates for amateur radio station licenses and citizen band radio operators; amending Minnesota Statutes 1982, section 168.12, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Skoglund introduced:

H. F. No. 121, A bill for an act relating to state historic sites; designating the old administration building at the Minnesota Veterans Home as a state historic site; amending Minnesota Statutes 1982, section 138.53, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau, Blatz, Norton, Vanasek and Sieben introduced:

H. F. No. 122, A bill for an act relating to state government; establishing a judicial compensation council; amending the procedures for establishing certain judicial branch compensation; amending Minnesota Statutes 1982, sections 15A.083, subdivisions 4, 5, and 7; and 484.68, subdivision 6; proposing new law coded in Minnesota Statutes, chapter 15A; repealing Minnesota Statutes 1982, section 15A.083, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Staten, Sarna and Kelly introduced:

H. F. No. 123, A bill for an act relating to commerce; regulating debt collection practices; broadening the classification of prohibited practices; amending Minnesota Statutes 1982, section 332.37; proposing new law coded in Minnesota Statutes, chapter 332.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Elioff, Begich, Beard, St. Onge and Rice introduced:

H. F. No. 124, A bill for an act relating to employment; providing assistance to employees who lose their jobs, affected communities and businesses which may suffer due to business closings, plant relocations, and reductions in operations; requiring advance notification to affected employees, employee organizations, municipalities, and the state, of business closings, plant relocations, and reductions of operations; prescribing duties of certain departments, governmental bodies, and officers with respect to business closings, plant relocations, and reductions of operations; creating the Minnesota community, business, and job preservation board; providing penalties; appropriating money; proposing new law coded as Minnesota Statutes, chapter 268A.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kelly, Staten, McKasy, Coleman and Seaberg introduced:

H. F. No. 125, A bill for an act relating to juveniles; authorizing juvenile courts to release information about certain delinquency adjudications and dispositions; amending Minnesota Statutes 1982, section 260.161, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Beard, Eken, Riveness, Hoffman and Price introduced:

H. F. No. 126, A bill for an act relating to health; requiring ophthalmic dispensers to have licenses; establishing a board of ophthalmic dispensers; setting a penalty; proposing new law coded in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Health and Welfare.



Skoglund; Anderson, G.; Brinkman; Evans and Tomlinson introduced:

H. F. No. 127, A bill for an act relating to taxation; property; granting seasonal residential recreational property classification to certain unimproved property; amending Minnesota Statutes 1982, section 273.13, subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Stadum, Valan, Ludeman, Frerichs and Jennings introduced:

H. F. No. 128, A bill for an act relating to unemployment compensation; requiring acceptance of certain work; regulating benefits; amending Minnesota Statutes 1982, section 268.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Begich; Elioff; Rice; Carlson, L., and Battaglia introduced:

H. F. No. 129, A bill for an act relating to unemployment compensation; excusing jurors from certain eligibility requirements; amending Minnesota Statutes 1982, sections 268.07, subdivision 2; and 268.08, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Bergstrom, Peterson and McEachern introduced:

H. F. No. 130, A bill for an act relating to real property; changing certain restrictions on corporate ownership of agricultural land; amending Minnesota Statutes 1982, section 500.24, subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture.

Jensen, Sieben, Sviggum and Metzen introduced:

H. F. No. 131, A bill for an act relating to Dakota County; fixing the conditions for certain land transfers.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Bergstrom, Peterson and McEachern introduced:

H. F. No. 132, A bill for an act relating to state lands; authorizing the sale and conveyance of a certain tract of tax-forfeited land by Sherburne County.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Bergstrom, Peterson and McEachern introduced:

H. F. No. 133, A bill for an act relating to waters; authorizing conveyance of the state's interest in certain lands in Sherburne County.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Otis and Evans introduced:

H. F. No. 134, A bill for an act relating to taxation; exempting certain business property from ad valorem taxation; amending Minnesota Statutes 1982, sections 272.02, subdivision 1; and 473F.02, subdivision 3; proposing new law coded in Minnesota Statutes, chapter 273.

The bill was read for the first time and referred to the Committee on Taxes.

Vanasek, Graba, Jensen, Wigley and Frerichs introduced:

H. F. No. 135, A bill for an act relating to motor vehicles; authorizing a refund of motor vehicle registration taxes under certain circumstances without returning the certificate of title to the registrar; proposing new law coded in Minnesota Statutes, chapter 168.

The bill was read for the first time and referred to the Committee on Transportation.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 41.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 41, A bill for an act relating to taxation; income; delaying the effective date of the requirement that certain securities be in registered form; amending Minnesota Statutes 1982, section 290.09, subdivision 3, as amended; Laws 1982, Third Special Session chapter 1, article VII, section 9.

The bill was read for the first time.

Kelly moved that S. F. No. 41 and H. F. No. 66, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Clark, J. moved that H. F. No. 64 be recalled from the Committee on Transportation and be re-referred to the Committee on Judiciary. The motion prevailed.

Quinn moved that the name of Shaver be added as an author on H. F. No. 20. The motion prevailed.

Greenfield moved that the name of Jacobs be added as an author on H. F. No. 21. The motion prevailed.

Jensen moved that the name of Dempsey be added as an author on H. F. No. 60. The motion prevailed.

Osthoff moved that the name of Minne be added as an author on H. F. No. 22. The motion prevailed.

Otis moved that the name of Minne be added as an author on H. F. No. 134. The motion prevailed.

Osthoff, Kostohryz, Sieben, Jennings and Minne introduced:

House Resolution No. 2, A house resolution requesting the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia; joining with the families of those who are missing in the hope that their long wait will soon be over.

#### SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that House Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 2

A house resolution requesting the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia; joining with the families of those who are missing in the hope that their long wait will soon be over.

*Whereas*, a decade ago, on January 27, 1973, the Paris Peace Accords were signed to end American involvement in the war in Southeast Asia; and

*Whereas*, one of the conditions of that agreement was provision for a return or accounting for prisoners of war and persons missing in action; and

*Whereas*, the government of Vietnam has only provided information on a few of the missing and this only through the pressure of determined families and dedicated congressmen; and

*Whereas*, 2,490 Americans, including 48 Minnesotans, remain unaccounted for with investigation of their status arrested by failure of the Socialist Republic of Vietnam and its allied governments to cooperate and assist; and

*Whereas*, there have been repeated verified sighting reports that some of the missing men are still alive in Southeast Asia; and

*Whereas*, the sorrow, anxiety, and frustration of the families of these men cannot be dispelled by delay or neglect; and

*Whereas*, it is America's duty to ensure, through an authentic, comprehensive investigation, the return of Americans still in Southeast Asia and to account for Americans who have perished there; and

*Whereas*, it is absolutely essential that the governments of the United States and the Socialist Republic of Vietnam act NOW to account for the missing; *Now, Therefore*,

*Be It Resolved* by the House of Representatives of the State of Minnesota that it joins with the families of the missing men in maintaining a constant vigil of anticipation and hope for a true accounting of their loved ones and the immediate return of the remains of those who died as a result of the war or imprisonment.

*Be It Further Resolved* that the government of the United States should do all it can to answer the questions surrounding the status of the missing men, to secure the return of any living prisoners or missing persons, and to secure the return of the remains of the dead.

*Be It Further Resolved* that the Socialist Republic of Vietnam should immediately yield all information it has on the status of the missing especially since there is no reason for them to refuse to give this information other than a calculated effort to protract the agony of the families of the missing.

*Be It Further Resolved* that the Chief Clerk of the House of Representatives is directed to send enrolled copies of this resolution, authenticated by his signature and that of the Speaker, to the President of the United States, the Speaker and Chief Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, the chairman of the Committee on Foreign Affairs of the United States House of Representatives, the chairman of the Committee on Foreign Relations of the United States Senate, to the Minnesota Representatives and Senators in Congress and to the Permanent Representatives of the Socialist Republic of Vietnam to the United Nations.

Osthoff moved that House Resolution No. 2 be now adopted. The motion prevailed and House Resolution No. 2 was adopted.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Commerce and Economic Development: Remove the name of Welker and add the name of Johnson.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 31, 1983. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 31, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives