

## SEVENTH DAY

St. Paul, Minnesota, Monday, January 24, 1983

The Senate met at 11:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. George Weinman.

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

Adkins	Diessner	Kroening	Olson	Schmitz
Anderson	Dieterich	Kronebusch	Pehler	Sieloff
Belanger	Frank	Laidig	Peterson, C.C.	Solon
Benson	Frederick	Langseth	Peterson, D.C.	Spear
Berg	Frederickson	Lantry	Peterson, D.L.	Storm
Berglin	Freeman	Lessard	Peterson, R.W.	Stumpf
Bernhagen	Hughes	Luther	Petty	Taylor
Bertram	Isackson	McQuaid	Pogemiller	Ulland
Chmielewski	Johnson, D.E.	Merriam	Purfeerst	Vega
Dahl	Johnson, D.J.	Moe, D.M.	Ramstad	Waldorf
Davis	Jude	Moe, R.D.	Reichgott	Wegscheid
DeCramer	Kamrath	Nelson	Renneke	Willet
Dicklich	Knaak	Novak	Samuelson	

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. Knutson and Mehrkens were excused from the Session of today.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 20, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

John D. Nagel, 4127 York Avenue South, Minneapolis, Hennepin

County, has been appointed by me, effective February 20, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Governmental Operations.)

April 24, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Minnesota Water Resources Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Ronald Stevens, Route 2, Box 200, Montevideo, Chippewa County, has been appointed by me, effective April 24, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Agriculture and Natural Resources.)

June 5, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Crime Victims Reparations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Kenneth Strom, 807 W. Oakland Avenue, Austin, Mower County, has been appointed by me, effective June 5, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Judiciary.)

June 24, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Capitol Area Architectural and Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Virginia Olson, 12929 Maywood Lane, Hopkins, Hennepin County, has been appointed by me, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Governmental Operations.)

January 4, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Cable Communications Board is hereby

respectfully submitted to the Senate for confirmation as required by law:

Martin J. Pinkney, 419-15th Street North, Moorhead, Clay County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Public Utilities and State Regulated Industries.)

January 4, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Capitol Area Architectural and Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas G. Reichert, 1229-13th Avenue North, St. Cloud, Stearns County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Governmental Operations.)

January 4, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Minnesota Environmental Quality Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Lauren Larsen, 109 E. Anoka Street, Duluth, St. Louis County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Agriculture and Natural Resources.)

January 4, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the State Council on Affairs of Spanish-Speaking People is hereby respectfully submitted to the Senate for confirmation as required by law:

Enrique Serra, 1930 East 86th Street, Bloomington, Hennepin County, has been appointed by me, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Veterans and General Legislation.)

February 26, 1982

The Honorable Jack Davies

President of the Senate

Dear Sir:

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

Michael D. Finch, 861 24th Avenue S.E., Minneapolis, Hennepin County, has been appointed by me, effective February 26, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Energy and Housing.)

April 2, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

Donn Larson, 3925 Lake Avenue South, Duluth, St. Louis County, has been appointed by me, effective April 2, 1982, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

(Referred to the Committee on Energy and Housing.)

May 5, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Minnesota Environmental Quality Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Cornelius A. Van Doren, 456 Woodhill Drive, Roseville, Ramsey County, has been appointed by me, effective May 5, 1982, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Agriculture and Natural Resources.)

May 18, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

William W. McCutcheon, 2238 Edgebrook Street, St. Paul, Ramsey County, has been appointed by me, effective May 18, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Elections and Ethics.)

July 6, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

Leonard C. Myrah, Route 2, Spring Grove, Houston County, has been appointed by me, effective July 6, 1982, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Elections and Ethics.)

July 6, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Minnesota-Wisconsin Boundary Area Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Goodwin S. Anderson, 715 Mt. Curve Blvd., St. Paul, Ramsey County, has been appointed by me, effective July 6, 1982, for a term expiring July 1, 1986.

(Referred to the Committee on Governmental Operations.)

August 11, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

Faith Zwemke, 111 North 12th Avenue, Princeton, Mille Lacs County, has been appointed by me, effective August 11, 1982, for a term expiring the first Monday in January, 1984.

(Referred to the Committee on Public Utilities and State Regulated Industries.)

December 13, 1982

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the State Council on Affairs of Spanish-Speaking People is hereby respectfully submitted to the Senate for confirmation as required by law:

Paula Villegas, 241 South Brimhall, Apt. 305, St. Paul, Ramsey County, has been appointed by me, effective December 13, 1982, for a term expiring

the first Monday in January, 1984.

(Referred to the Committee on Veterans and General Legislation.)

Sincerely yours,

Albert H. Quie, Governor

### MOTIONS AND RESOLUTIONS

Mr. Johnson, D.J. moved that the name of Mr. Frederick be added as a co-author to S.F. No. 41. The motion prevailed.

Mrs. Adkins moved that the name of Mr. Davis be added as a co-author to S.F. No. 46. The motion prevailed.

Mr. Spear moved that the name of Mr. Merriam be added as a co-author to S.F. No. 53. The motion prevailed.

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

Mr. Johnson, D.J. moved that the name of Mr. Dahl be added as a co-author to S.F. No. 59. The motion prevailed.

Mr. Frank moved that the name of Mr. Dahl be added as a co-author to S.F. No. 68. The motion prevailed.

Mr. Nelson moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 74. The motion prevailed.

Mr. Solon moved that the name of Mr. Lessard be added as a co-author to S.F. No. 76. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 80. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Merriam be added as a co-author to S.F. No. 80. The motion prevailed.

Mr. Pehler introduced—

Senate Resolution No. 12: A Senate resolution acknowledging and commending the revival of "Minnesota," a musical rendition of Minnesota history.

Referred to the Committee on Rules and Administration.

### GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. No. 41, which the committee recommends to pass.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Solon introduced—

S.F. No. 85: A bill for an act relating to taxation; providing a property tax credit to certain veterans awarded the congressional medal of honor; appropriating money; proposing new law coded in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson; Merriam; Peterson, R.W.; Dieterich and Taylor introduced—

S.F. No. 86: A bill for an act relating to education; modifying the state aid and levy provisions governing community education; amending Minnesota Statutes 1982, sections 124.271, subdivision 2a; and 275.125, subdivision 8.

Referred to the Committee on Education.

Mr. Petty, Mrs. Lantry and Mr. Benson introduced—

S.F. No. 87: 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; prohibiting 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.

Referred to the Committee on Health and Human Services.

Mmes. McQuaid, Lantry, Ms. Olson, Messrs. Ulland and Waldorf introduced—

S.F. No. 88: A bill for an act relating to taxation; income; providing a credit for home care of the elderly; appropriating money; amending Minnesota Statutes 1982, section 290.06, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Mrs. McQuaid, Messrs. Ramstad and Sieloff introduced—

S.F. No. 89: A bill for an act relating to crimes; providing for additional sentences for theft against the elderly; requiring the sentencing guidelines commission to modify the sentencing guidelines to require application of incarcerative sanctions for theft against the elderly; prescribing penalties; amending Minnesota Statutes 1982, section 609.52, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Diessner; Peterson, C.C.; Chmielewski and Nelson introduced—

S.F. No. 90: A bill for an act relating to workers' compensation; providing for a clinical health care review panel within the department of labor and industry; proposing new law coded in chapter 176.

Referred to the Committee on Employment.

Mrs. Adkins, Messrs. Bertram, Frederick, Stumpf and Schmitz introduced—

S.F. No. 91: A bill for an act relating to towns; authorizing the town electors to exercise certain powers at the annual meeting; amending Minnesota Statutes 1982, section 365.10.

Referred to the Committee on Local and Urban Government.

Messrs. Bertram, Renneke, Kamrath, Schmitz and Johnson, D.E. introduced—

S.F. No. 92: A bill for an act relating to towns; requiring other government units to give notice to towns of actions that affect land use or taxation; proposing new law coded in Minnesota Statutes, chapter 365.

Referred to the Committee on Local and Urban Government.

Messrs. Bertram, Lessard, Davis, Stumpf and Peterson, C.C. introduced—

S.F. No. 93: A resolution memorializing the President and Congress to repeal the Secretary of Agriculture's authority to deduct 50 cents per hundredweight from milk producer payments.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Solon introduced—

S.F. No. 94: 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.

Referred to the Committee on Governmental Operations.



Messrs. Johnson, D.E.; Laidig; Benson and Merriam introduced—

S.F. No. 95: A bill for an act relating to taxation; income; adopting federal income tax treatment of certain retirement plans; amending Minnesota Statutes 1982, section 290.01, subdivisions 20a, as amended and 20b, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.J.; Dicklich and Lessard introduced—

S.F. No. 96: A bill for an act relating to the northeast Minnesota economic protection trust fund; abolishing the trust board; authorizing increased current expenditures; providing for administration of the fund; appropriating money; amending Minnesota Statutes 1982, sections 298.292; 298.293; 298.294; 298.296; and 298.297; and Laws 1982, Second Special Session chapter 2, section 14; repealing Minnesota Statutes 1982, sections 298.295; and 298.298.

Referred to the Committee on Governmental Operations.

Messrs. Davis; Luther; Chmielewski; Peterson, D.L. and Peterson, R.W. introduced—

S.F. No. 97: A bill for an act relating to the environment; requiring notice of intent to develop uranium; creating an advisory committee; requiring an environmental analysis and report to the legislature; requiring adoption of a state policy; imposing a penalty; proposing new law coded in Minnesota Statutes, chapter 116C.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davis, DeCramer, Bertram, Stumpf and Merriam introduced—

S.F. No. 98: A bill for an act relating to soil conservation; providing a state paid property tax credit to agricultural property owners who carry out and maintain approved soil conservation practices under agreements with soil and water conservation districts; appropriating money; amending Minnesota Statutes 1982, section 40.07, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 273.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. DeCramer, Langseth, Schmitz and Anderson introduced—

S.F. No. 99: A bill for an act relating to taxation; sales; expanding the definition of farm machinery to include repair and replacement parts; amending Minnesota Statutes 1982, section 297A.01, subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.J.; Merriam; Peterson, C.C. and Novak introduced—

S.F. No. 100: A bill for an act relating to taxation; providing that Minnesota itemized deductions for individuals shall be federal itemized deductions with certain modifications; amending Minnesota Statutes 1982, sec-

tions 290.01, subdivision 19; 290.06, subdivision 11; 290.077, subdivision 2; 290.09, subdivisions 1, 2, 3, as amended, 4, 5, and 6; 290.14; 290.18, subdivisions 1 and 2; 290.21, subdivisions 1 and 3; 290.23, subdivision 5; 290.31, subdivisions 2 and 3; 290.39, subdivision 2; 290.92, subdivision 2a; 290A.16; proposing new law coded in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1982, sections 290.09, subdivisions 10, 15, 22, and 27; and 290.21, subdivision 3a.

Referred to the Committee on Taxes and Tax Laws.

Mr. Waldorf and Mrs. Lantry introduced—

S.F. No. 101: A bill for an act relating to the city of St. Paul; providing for the reinstatement of St. Paul policeman's pension fund benefits in certain circumstances.

Referred to the Committee on Governmental Operations.

Mr. Diessner, Ms. Reichgott, Messrs. Freeman and Jude introduced—

S.F. No. 102: A bill for an act relating to commitment of persons who are mentally ill, mentally ill and dangerous, or chemically dependent; requiring committing courts to participate in a statewide results-oriented evaluation with respect to treatment; providing for appointment of counsel guardians; requiring the commissioner of public welfare to collect statistics on treatment of patients; proposing new law coded in Minnesota Statutes, chapter 253B.

Referred to the Committee on Health and Human Services.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

### MOTIONS AND RESOLUTIONS

Ms. Berglin moved that S. F. No. 50 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Lessard moved that S. F. No. 85 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Veterans and General Legislation. The motion prevailed.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, January 27, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate