

## FOURTEENTH DAY

St. Paul, Minnesota, Monday, February 14, 1983

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

Adkins	Diessner	Knutson	Novak	Schmitz
Anderson	Dieterich	Kroening	Olson	Sieloff
Belanger	Frank	Kronebusch	Pehler	Solon
Benson	Frederick	Laidig	Peterson, C.C.	Spear
Berg	Frederickson	Lantry	Peterson, D.C.	Storm
Berglin	Freeman	Lessard	Peterson, D.L.	Stumpf
Bernhagen	Hughes	Luther	Peterson, R.W.	Taylor
Bertram	Isackson	McQuaid	Petty	Ulland
Chmielewski	Johnson, D.E.	Mehrkens	Pogemiller	Vega
Dahl	Johnson, D.J.	Merriam	Ramstad	Waldorf
Davis	Jude	Moe, D.M.	Reichgott	Wegscheid
DeCramer	Kamrath	Moe, R.D.	Renneke	Willet
Dicklich	Knaak	Nelson	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. Langseth and Purfeerst were excused from the Session of today. Ms. Olson was excused from the Session of today at 11:15 a.m.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

April 14, 1980

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

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

Solveig Premack, 5226 Stevens Avenue, Minneapolis, Hennepin County, has been appointed by me, effective April 14, 1980, for a term expiring the first Monday in January, 1981.

A. William Sands, Jr., 869 Osceola Avenue, St. Paul, Ramsey County, has been appointed by me, effective April 14, 1980, for a term expiring the first Monday in January, 1984.

Marjorie Gray Vogel, 999 Kingman, Red Wing, Goodhue County, has been appointed by me, effective April 14, 1980, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

May 7, 1980

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

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

Mark Anderson, 10320 South Shore Drive, Plymouth, Hennepin County, has been appointed by me, effective May 7, 1980, for a term expiring the first Monday in January, 1984.

Roger D. Clemence, 1904 Girard Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective May 7, 1980, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Governmental Operations.)

February 20, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

Rochelle Barnhart, 3322 Clinton Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective February 20, 1981, for a term expiring the first Monday in January, 1985.

John R. Stone, 608 East Minnesota, Glenwood, Pope 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 Public Utilities and State Regulated Industries.)

June 18, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointment to the Public Employment Relations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

David Y. Morris, 2990 Casco Point Road, Wayzata, Hennepin County, has been appointed by me, effective June 18, 1981, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Governmental Operations.)

September 4, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

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

Lilliam Pancorbo, 5316 Bloomington Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1982.

Juan Lopez, 175 Charles Avenue, St. Paul, Ramsey County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1983.

Ana Sonia Nieves-Burton, 500 Sexton Building, 529 South 7th Street, Minneapolis, Hennepin County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1983.

Fermin Aragon, 14420 Woodhill Terrace, Minnetonka, Hennepin County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1984.

Lee Villareal, 3 1/2 Grand Circle, East Grand Forks, Polk County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1984.

Raul Cardona, Jr., 205 North Ermina, Albert Lea, Freeborn County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1985.

Juan Moreno, 501 Pleasant Avenue, Crookston, Polk County, has been appointed by me, effective September 4, 1981, for a term expiring the first Monday in January, 1985.

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

September 23, 1981

The Honorable Jack Davies  
President of the Senate

Dear Sir:

The following appointments to the Minnesota-Wisconsin Boundary Area

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

Robert W. Burns, 10677 Cedar Hts. Trail, Hastings, Washington County, has been appointed by me, effective September 23, 1981, for a term expiring July 1, 1982.

Mary B. Swanger, R.R. 1, Box 236, Wabasha, Wabasha County, has been appointed by me, effective September 23, 1981, for a term expiring July 1, 1983.

W. Wayne Smith, 944 West 10th Street, Winona, Winona County, has been appointed by me, effective September 23, 1981, for a term expiring July 1, 1984.

Virgil J. Johnson, Box 88, Rural Route #2, Caledonia, Houston County, has been appointed by me, effective September 23, 1981, for a term expiring July 1, 1985.

Charles W. Arnason, Marine on St. Croix, Washington County, has been appointed by me, effective September 23, 1981, for a term expiring July 1, 1985.

(Referred to the Committee on Governmental Operations.)

Sincerely yours,

Albert H. Quie, Governor

February 10, 1983

The Honorable Jerome M. Hughes  
President of the Senate

The Honorable Harry A. Sieben, Jr.  
Speaker of the House

Sirs:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the 73rd Session of the Minnesota Legislature on Tuesday, February 15, 1983, at 12:00 noon, for the purpose of presenting my budget message to the Legislature.

Sincerely,

Rudy Perpich, Governor

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate at 11:45 a.m., Tuesday, February 15, 1983, to receive the budget message of the Honorable Rudy Perpich, Governor of the State of Minnesota. The message of the Governor will be delivered at 12:00 noon.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 10, 1983

Mr. Moe, R.D. moved that the Senate accede to the request of the House

of Representatives to meet in Joint Convention in the House Chamber at 11:45 a.m., Tuesday, February 15, 1983, to receive the budget message of the Honorable Rudy Perpich, Governor of the State of Minnesota. The motion prevailed.

Mr. President:

I have the honor to inform the Senate that the House of Representatives has appointed a committee of five members of the House to act with a similar committee on the part of the Senate to escort the Governor to the Joint Convention to be held in the House Chamber, Tuesday, February 15, 1983. The Joint Convention will convene at 11:45 a.m. and the budget message of the Governor will be delivered at 12:00 noon.

Munger, Piper, McKasy, Sparby and Piepho have been appointed as members of such committee on the part of the House.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 10, 1983

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 73 and reports pertaining to appointments. The motion prevailed.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 44: A bill for an act relating to child support; allowing courts to order support for certain individuals attending secondary school; amending Minnesota Statutes 1982, section 518.54, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, delete "19" and insert "20"

Page 1, line 16, after "made" insert "*in actions for dissolution or legal separation commenced*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 194: A bill for an act relating to causes of action; providing that certain causes of action survive the death of a party; amending Minnesota Statutes 1982, section 573.01. "

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 195: A bill for an act relating to courts; increasing the fee and mileage allowance paid to witnesses; providing for fee allowances to be paid to witnesses in juvenile proceedings; amending Minnesota Statutes 1982, sections 357.22; 357.24; and proposing new law coded in Minnesota Statutes, chapter 357.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, strike "of record, in any justice court,"

Page 1, line 21, strike "the same" and insert "it"

Page 2, line 4, strike "of courts of record"

Page 2, line 8, strike "of record"

Page 2, line 13, delete "Minnesota"

Page 2, line 14, delete "Statutes,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

H.F. No. 55: A bill for an act relating to towns; setting the time for posting audit reports; amending Minnesota Statutes 1982, section 366.22.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 18, insert:

"Sec. 2. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 40: A bill for an act relating to local government; permitting towns to self insure the bond requirements of certain officers; amending Minnesota Statutes 1982, section 471.981, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 12, insert:

"Sec. 2. [EFFECTIVE DATE.]

*This act is effective the day following final enactment."*

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 65: A bill for an act relating to local improvements; providing the method for action on certain improvements by certain towns; amending Minnesota Statutes 1982, section 429.011, subdivision 2b.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 24, insert:

“Sec. 2. [EFFECTIVE DATE.]

*This act is effective the day following final enactment.”*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 73: A bill for an act relating to Dakota County; fixing the conditions for certain land transfers.

Reports the same back with the recommendation that the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 24: A bill for an act relating to health; removing the term “epileptic” from the Minnesota Statutes.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, delete each “and” and insert a comma

Page 2, line 6, after “reports” insert “regarding abuse or neglect of

*children, and investigation results”*

Page 3, lines 5 and 28, before “*Unless*” insert “*In the case of a family day care license or a family foster care license,*”

Page 4, line 32, delete “*and*” and insert “*or*”

Pages 5 and 6, delete section 5 and insert:

“**Sec. 5. 245.8131 [REPORTING ABUSE OR NEGLECT OF CHILDREN IN FACILITIES.]**

*Subdivision 1. [DEFINITIONS.] “Child” means anyone who has not reached his or her eighteenth birthday.*

*Subd. 2. [PERSONS MANDATED TO REPORT.] Any professional individual or his delegate in the field of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care education, or law enforcement, who has knowledge of or reasonable cause to believe a child in the care of a facility or agency required to be licensed is being neglected or physically or sexually abused by an individual in that facility or agency, shall immediately report the information to the commissioner, the local welfare agency, or police department. The local welfare agency or police department, upon receiving a report, shall immediately notify the commissioner. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school or agency.*

*Any person not required to report under the provisions of this section may voluntarily report to the commissioner, the local welfare agency or police department if he has knowledge of or reasonable cause to believe a child in the care of a facility or agency required to be licensed is being neglected or subjected to physical or sexual abuse by an individual in that facility or agency. The local welfare agency or police department, upon receiving a report, shall immediately notify the commissioner.*

*Subd. 3. [IMMUNITY FROM LIABILITY.] Any person participating in good faith and exercising due care in the making of a report pursuant to this section shall have immunity from any liability, civil or criminal, that otherwise might result by reason of his action.*

*Subd. 4. [FALSIFIED REPORTS.] Any person who willfully or recklessly makes a false report under the provisions of this section shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury.*

*Subd. 5. [FAILURE TO REPORT.] Any person required by this section to report suspected physical or sexual abuse who willfully fails to do so is guilty of a misdemeanor.*

*Subd. 6. [REPORT.] An oral report shall be made immediately by telephone or otherwise. An oral report made by a person required under subdivision 2 to report shall be followed as soon as possible thereafter by a report in writing to the commissioner, the appropriate police department or local welfare agency. Any report shall be of sufficient content to identify the child, the facility or agency responsible for his care, the nature and extent of the child’s injuries, and the name and address of the reporter. Written reports received by a police department or local welfare agency shall be for-*



warded immediately to the commissioner.

*Subd. 7. [MANDATORY REPORTING TO A MEDICAL EXAMINER OR CORONER.] When a person required to report under the provisions of subdivision 2 has reasonable cause to believe a child has died as a result of neglect or physical or sexual abuse, he shall report that information to the appropriate medical examiner or coroner. Medical examiners or coroners shall notify the commissioner, the local welfare agency, or police department in instances in which they believe that the child has died as a result of neglect or physical or sexual abuse. The medical examiner or coroner shall complete an investigation as soon as feasible and report the findings to the appropriate law enforcement authorities, the commissioner, and the local welfare agency.*

*Subd. 8. [INVESTIGATION.] The commissioner shall immediately investigate any report received under this section. The commissioner shall arrange for the transmittal of reports received by local agencies to him, and may delegate to any local welfare agency the duty to investigate reports.*

*Subd. 9. [RECORDS.] All records maintained by the commissioner of public welfare or a local welfare agency under this section, including any written reports filed under subdivision 6, shall be private data on individuals, except insofar as copies of reports are required by subdivision 6 to be sent to the local police department or the county sheriff. Report records maintained by any police department or the county sheriff shall be private data on individuals except the reports shall be made available to the investigating, petitioning, or prosecuting authority. The welfare board shall make available to the investigating, petitioning, or prosecuting authority any records which contain information relating to a specific incident of neglect or abuse which is under investigation, petition, or prosecution and information relating to any prior incidents of neglect or abuse involving any of the same persons. The records shall be collected and maintained in accordance with the provisions of chapter 13. An individual subject of a record shall have access to the record in accordance with that chapter, except that the name of the reporter shall be confidential while the report is under investigation. After the investigation is completed, the name of the reporter shall be confidential but shall be accessible to the individual subject of the record upon court order.*

*Records maintained by the commissioner of public welfare, local welfare agencies, the police department or county sheriff under this section shall be destroyed as described in clauses (a) to (c):*

*(a) If upon investigation a report is found to be unsubstantiated, notice of intent to destroy records of the report shall be mailed to the individual subject of the report. At the subject's request the records shall be maintained as private data. If no request from the subject is received within 30 days of mailing the notice of intent to destroy, the records shall be destroyed.*

*(b) All records relating to reports which, upon investigation, are found to be substantiated shall be destroyed seven years after the date of the final entry in the case record.*

*(c) All records of reports which, upon initial investigation, cannot be substantiated or disproved to the satisfaction of the local welfare agency, commissioner of public welfare, local police department or county sheriff may be*

*kept for a period of one year. If the local welfare agency, commissioner of public welfare, local police department or county sheriff is unable to substantiate the report within that period, each agency unable to substantiate the report shall destroy its records relating to the report in the manner provided by clause (a)."*

Page 6, line 8, delete "2a" and insert "1a"

Page 7, line 10, after each "a" insert "family"

Pages 7 to 11, delete sections 9 and 10

Page 11, line 23, after "interview" insert a comma

Page 11, lines 26 and 27, delete "be had" and insert "take place"

Page 11, line 29, delete "the parents" and insert "a parent"

Page 11, line 30, after "minor" insert a comma and delete "prevent" and insert "prevents"

Page 12, line 2, after "petition" insert a comma

Pages 12 to 22, delete section 12

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, delete "and for"

Page 1, delete lines 15 to 19

Page 1, line 20, delete everything before the semicolon

Page 1, line 28, delete everything after the first semicolon

Page 1, line 30, delete "595.02;" and delete "subdivisions 8 and" and insert "subdivision"

Page 1, lines 30 and 31, delete "and 626.557" and insert "proposing new law coded in Minnesota Statutes, chapter 245"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for January 31, 1983:

DEPARTMENT OF EMPLOYEE RELATIONS  
COMMISSIONER

Nina Rothchild

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 44, 194, 195, 40, 65 and 24 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 55 was read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Kroening moved that the name of Mrs. Kronebusch be added as a co-author to S.F. No. 128. The motion prevailed.

Mr. Pehler moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 139. The motion prevailed.

Mr. Mehrkens moved that the name of Mrs. Kronebusch be added as a co-author to S.F. No. 174. The motion prevailed.

Mr. Willet moved that the names of Messrs. Davis and Stumpf be added as co-authors to S.F. No. 227. The motion prevailed.

Mr. Frank moved that the name of Mr. Dahl be added as a co-author to S.F. No. 232. The motion prevailed.

Mrs. Adkins moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 235. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Resolution No. 19: A Senate resolution relating to appointment of a committee to escort the Governor to the House Chamber for a Joint Convention.

**BE IT RESOLVED**, by the Senate of the State of Minnesota:

The President of the Senate shall appoint a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Rudy Perpich, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Tuesday, February 15, 1983, at 12:00 noon.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

**APPOINTMENTS**

Pursuant to the foregoing resolution, the President made the following appointments:

Messrs. Merriam, Chmielewski, Ms. Berglin, Messrs. Bernhagen and Knutson.

**CALENDAR**

S.F. No. 26: A bill for an act relating to crimes; providing a criminal penalty for false declarations of insurance coverage; amending Minnesota Statutes 1982, section 65B.67, subdivisions 2, 3, and 4, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 15: A bill for an act relating to metropolitan government; changing the terms of members of the metropolitan council; requiring that metropolitan council district boundaries be redrawn after each federal census; redrawing metropolitan council district boundaries; establishing new metropolitan commission districts, formerly called precincts; changing references to precincts; changing the terms of commission members and chairmen; requiring the governor to appoint council members and establishing terms; requiring the newly appointed metropolitan council to appoint commission members and establishing terms; amending Minnesota Statutes 1982, sections 473.123, subdivision 3, and by adding subdivisions; 473.141, subdivisions 2, 4, and 5, and by adding a subdivision; and 473.303, subdivisions 2, 4, and 5, and by adding a subdivision; repealing Minnesota Statutes 1982, section 473.123, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 24, as follows:

Those who voted in the affirmative were:

Adkins	Frank	Luther	Peterson, D.C.	Spear
Berglin	Freeman	Merriam	Peterson, R.W.	Stumpf
Bertram	Hughes	Moe, D.M.	Petty	Vega
Dahl	Johnson, D.J.	Moe, R.D.	Pogemiller	Waldorf
DeCramer	Jude	Nelson	Reichgott	Wegscheid
Dicklich	Kroening	Novak	Samuelson	Willet
Diessner	Lantry	Pehler	Schmitz	
Dieterich	Lessard	Peterson, C.C.	Solon	

Those who voted in the negative were:

Anderson	Chmielewski	Kamrath	McQuaid	Sieloff
Belanger	Frederick	Knaak	Mehrkens	Storm
Benson	Frederickson	Knutson	Peterson, D.L.	Taylor
Berg	Isackson	Kronebusch	Ramstad	Ulfand
Bernhagen	Johnson, D.E.	Laidig	Renneke	

So the bill passed and its title was agreed to.

### 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. 118, which the committee recommends to pass.

S.F. No. 50, which the committee reports progress, subject to the following motions:

Mr. Petty moved to amend S. F. No. 50 as follows:

Page 1, line 18, strike "shall be" and insert "is"

Page 2, line 23, delete "5" and insert "6"

Page 3, line 7, delete the third comma

Page 3, line 10, after the second "or" insert "*a parent, legal guardian, or foster parent*"

Page 3, after line 18, insert:

"Sec. 6. [609.379] [PERMITTED ACTIONS.]

*Subdivision 1. [REASONABLE FORCE.] Reasonable force or reasonable deprivation may be used upon or toward the person of a child without the child's consent when the following circumstance exists or the actor reasonably believes it to exist:*

*When used by a parent, legal guardian, teacher, or other caretaker of a child or pupil, in the exercise of lawful authority, to restrain or correct the child or pupil.*

*Subd. 2. [APPLICABILITY.] This section applies to sections 1 to 5 and section 626.556, subdivision 12."*

Page 3, line 31, delete "6" and insert "7"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Petty then moved to amend S. F. No. 50 as follows:

Page 3, line 7, before "A" insert "(a)"

Page 3, line 10, after the second "or" insert "(b)"

Page 3, line 18, after the period, insert "*It is a defense to any prosecution under clause (b) that the defendant was a "battered woman" as defined in section 241.61, subdivision 2, at the time of the neglect and that the failure to act to stop or prevent the neglect was a result of the defendant's status as a battered woman.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 50 was then progressed.

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. Langseth introduced—

S.F. No. 252: A bill for an act relating to liquor; authorizing the city of Dilworth to issue one on-sale license to an Eagles Club.

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

Ms. Berglin, Mrs. Lantry, Messrs. Dicklich and Solon introduced—

S.F. No. 253: A bill for an act relating to public welfare; retroactively exempting certain health maintenance organizations from the four percent medical assistance payment reduction.

Referred to the Committee on Health and Human Services.

Ms. Berglin, Messrs. Petty, Solon and Dicklich introduced—

S.F. No. 254: A bill for an act relating to public welfare; providing for medical assistance payment for nutritional supplements; requiring temporary rules for prospective hospital payment; amending Minnesota Statutes 1982, section 256B.02, subdivision 8.

Referred to the Committee on Health and Human Services.

Mr. Chmielewski introduced—

S.F. No. 255: A bill for an act relating to motor vehicles; authorizing judicial action and collection of a fee upon dishonor of payment for registration plates, tabs, certificate, or title certificate; appropriating money; proposing new law coded in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

Messrs. Merriam, Hughes, Pehler, Nelson and Peterson, D.L. introduced—

S.F. No. 256: A bill for an act relating to education; creating a comprehensive arts in education planning program in the elementary and secondary schools; appropriating money; proposing new law coded in Minnesota Statutes, chapter 129B.

Referred to the Committee on Education.

Messrs. Purfeerst, Solon, Novak, Bertram and Johnson, D.E. introduced—

S.F. No. 257: A bill for an act relating to liquor; restrictions upon joint purchases and volume discounts at wholesale; amending Minnesota Statutes 1982, sections 340.408; and 340.983.

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

Messrs. Benson and Frederick introduced—

S.F. No. 258: A bill for an act relating to courts; providing for the appointment of a court commissioner to solemnize marriages in Dodge and Olmstead counties; proposing new law coded in Minnesota Statutes, chapter 157.

Referred to the Committee on Judiciary.

Messrs. Peterson, C.C.; Johnson, D.J.; Bertram; Lessard and Johnson, D.E. introduced—

S.F. No. 259: A bill for an act relating to crimes; regulating the possession and use of handguns; specifying property rights of certain persons in handguns; prohibiting possession of firearms by certain felons; abolishing transferee permits; providing for licenses to purchase handguns; prohibiting transfer of handguns to unknown persons; requiring licenses to carry handguns; limiting legislation in subordinate jurisdictions; providing for disposition of stolen and confiscated firearms; prohibiting discrimination on the issuance of licenses to purchase a handgun or licenses to carry a handgun or weapon; prescribing penalties; amending Minnesota Statutes 1982, sections 609.66; 624.712; 624.713; 624.7131; 624.714; 624.715; 624.717; and 629.361; proposing new law coded in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 1982, sections 624.7132; 624.716; and 624.718.

Referred to the Committee on Judiciary.

Messrs. Kamrath, Knaak, Berg and Benson introduced—

S.F. No. 260: A bill for an act relating to malt beverages; requiring identification of kegs and purchasers thereof; proposing new law coded in Minnesota Statutes, chapter 340.

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

Mr. Kamrath, Ms. Olson, Messrs. Ramstad and Knutson introduced—

S.F. No. 261: A bill for an act relating to state government; providing incentive bonuses for certain state employees; appropriating money.

Referred to the Committee on Governmental Operations.

Mrs. Lantry, Mr. Frank and Ms. Berglin introduced—

S.F. No. 262: A bill for an act relating to insurance; health and accident; providing benefits for the services of a clinical nurse specialist in psychiatric or mental health nursing; amending Minnesota Statutes 1982, section 62A.152, subdivision 2.

Referred to the Committee on Economic Development and Commerce.

Mrs. Lantry, Mr. Frank and Ms. Berglin introduced—

S.F. No. 263: A bill for an act relating to insurance; health and accident;

providing reimbursement for the services of certain licensed and certified registered nurses on an equal basis with other licensed health professional services; amending Minnesota Statutes 1982, sections 62A.03, subdivision 1; and 62A.15.

Referred to the Committee on Economic Development and Commerce.

Mr. Merriam introduced—

S.F. No. 264: A bill for an act relating to taxation; sales tax; repealing the exemption for advertising materials subsequently shipped out of Minnesota; amending Minnesota Statutes 1982, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dicklich, Ms. Berglin, Mrs. Lantry, Messrs. Knutson and Diessner introduced—

S.F. No. 265: A bill for an act relating to public welfare; permitting reimbursement under the medical assistance program for developmental achievement and semi-independent living services provided to certain mentally retarded and cerebral palsied persons; amending Minnesota Statutes 1982, sections 256B.02, subdivisions 7 and 8; and 256B.03, by adding subdivisions.

Referred to the Committee on Health and Human Services.

Ms. Berglin, Messrs. Frank, Merriam and Pehler introduced—

S.F. No. 266: A bill for an act relating to taxation; providing that the homestead credit apply to the first \$54,000 of market value; providing that homestead credit not apply to the first \$100 of tax; amending Minnesota Statutes 1982, section 273.13, subdivisions 6, 7, and 14a.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 267: A bill for an act relating to taxation; increasing the amount of reduced valuations required to be maintained as public record; allowing the commissioner discretion in apportioning levies; increasing the amount of reduction in valuation requiring an opportunity for hearing; allowing county auditors to combine legal descriptions over section lines; classifying farm rental value data; excluding certain corporations from receiving agricultural property tax valuation; providing for the assessment of certain class 3 property based upon its use; clarifying the requirements for homesteads of members of the armed forces; requiring publication of certain requirements for obtaining a homestead after the assessment date; clarifying the method of assessment for certain low income properties; providing for split classification of certain homestead property; removing special taxing districts from levy limits; allowing counties to charge for NSF checks; providing for rounding of tax amounts on tax statements; directing the use of the previous years mill rate when distributing delinquent tax proceeds; changing the date for filing list of delinquent personal property taxes; extending application of



the alternate sale procedure; increasing the fee for lost deeds; removing certain exempt entities from payment of mortgage registration tax; changing the process for distributing mortgage registration tax proceeds; raising the fee for trip permits; requiring filing of an amended estate tax return in certain situations; clarifying the date interest accrues on estate tax amounts due; providing for department action following the filing of an amended return; requiring state's share of federal credit to not be less than state's share of the estate; providing a definition of surviving spouse for estate tax purposes; requiring filing of final account to commissioner of revenue; changing the requirement for filing a declaration of estimated gross earnings tax; imposing a penalty for failure to pay estimated gross earnings tax; extending the time allowed to claim gasoline or special fuel tax refunds; changing the requirements relating to distribution of free samples of cigarettes; imposing a penalty for failure to pay the tax on wines and spirituous liquors; conforming penalties for nonpayment of tax on deed to penalties imposed on other taxes; requiring payment of current taxes before a plat is recorded; amending Minnesota Statutes 1982, sections 270.10, subdivisions 1 and 3; 270.12, subdivision 3; 270.19; 272.46, subdivision 1; 273.11, subdivision 7; 273.111, subdivision 3; 273.13, subdivisions 4, 10, 16, 17, 17b, 17c, and by adding a subdivision; 275.50, subdivision 2; 276.02; 276.04; 276.10; 277.02; 282.01, subdivision 7a; 282.33, subdivision 1; 287.06; 287.08; 291.005, subdivision 1; 291.03, subdivision 1; 291.07, subdivision 1; 291.09, subdivision 3a; 291.131, subdivision 6; 291.132, subdivision 1; 291.215, subdivision 3; 295.365; 295.366, subdivision 1; 296.17, subdivisions 3 and 17; 297.03, subdivision 10; 340.485, subdivision 1, and by adding subdivisions; 340.492; 505.04; 524.3-1001; 524.3-1003; and 524.3-1204; repealing Minnesota Statutes 1982, sections 272.022; 272.023; 272.024; 273.13, subdivision 18; 273.23; 273.24; 273.28; 273.29; 273.30; 273.31; 273.34; 273.43; 273.44; 273.45; 273.52; 288.01; 288.02; 288.03; 288.04; 288.05; 291.07, subdivision 3; 473F.04; and 477A.04.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dicklich and Merriam introduced—

S.F. No. 268: A bill for an act relating to animals; prohibiting the transfer of unredeemed, impounded animals for experimental purposes; amending Minnesota Statutes 1982, section 35.71.

Referred to the Committee on Veterans and General Legislation.

Messrs. Sieloff and Peterson, C.C. introduced—

S.F. No. 269: A bill for an act relating to trusts; clarifying the time limits and applicable interest rates for certain employee trusts; amending Minnesota Statutes 1982, sections 334.01; and 501.11.

Referred to the Committee on Judiciary.

Ms. Peterson, D.C.; Messrs. Pogemiller and Freeman introduced—

S.F. No. 270: A bill for an act relating to financing of jail facilities of Hennepin County; authorizing the issuance of general obligation bonds.

Referred to the Committee on Local and Urban Government.

Messrs. Petty, Freeman and Storm introduced—

S.F. No. 271: A bill for an act relating to Hennepin County; providing for the conduct of a public safety communications service; repealing Laws 1947, chapter 371, as amended.

Referred to the Committee on Local and Urban Government.

Messrs. Pogemiller, Spear, Jude, Ms. Berglin and Mrs. McQuaid introduced—

S.F. No. 272: A bill for an act relating to Hennepin County; authorizing employees to withdraw from participation in the Hennepin County supplemental retirement fund.

Referred to the Committee on Governmental Operations.

Messrs. Solon, Ulland and Dicklich introduced—

S.F. No. 273: A bill for an act relating to the city of Duluth; authorizing group workers' compensation self insurance pools which include the city of Duluth and private employers.

Referred to the Committee on Economic Development and Commerce. Mr. Chmielewski questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Johnson, D.J.; Dicklich; Kroening and Solon introduced—

S.F. No. 274: A bill for an act relating to local government; providing "Buy American" requirements for county, city, and school district purchases; proposing new law coded in Minnesota Statutes, chapter 471.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, DeCramer and Spear introduced—

S.F. No. 275: A bill for an act relating to public utilities; specifying the regulatory treatment of certain expenses; amending Minnesota Statutes 1982, section 216B.16, subdivisions 8 and 9, and by adding subdivisions.

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

Mrs. Adkins, Messrs. Purfeerst, Bernhagen and Stumpf introduced—

S.F. No. 276: A bill for an act relating to motor vehicles; increasing the time allowed to complete certain activities involving motor vehicle transfers to 21 days; amending Minnesota Statutes 1982, sections 168.092, subdivision 1; 168.101, subdivision 2; 168.15; 168.30; 168.31, subdivision 3; and 168A.30, subdivision 2.

Referred to the Committee on Transportation.

Mr. Kroening introduced—

S.F. No. 277: A bill for an act relating to Hennepin County; providing for a purchasing preference for American made materials.

Referred to the Committee on Governmental Operations.

Mr. Pogemiller introduced—

S.F. No. 278: A bill for an act relating to Hennepin county; providing for financing of motor vehicle parking facilities; authorizing the issuance of general obligation or revenue bonds of the county; amending Laws 1969, chapter 1037, section 1, subdivision 2.

Referred to the Committee on Local and Urban Government.

Messrs. Merriam, Dahl and Petty introduced—

S.F. No. 279: 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.

Referred to the Committee on Judiciary.

Messrs. Merriam; Peterson, R.W. and Petty introduced—

S.F. No. 280: A bill for an act relating to data privacy; establishing standards and procedures for the release of financial information; proposing new law coded as Minnesota Statutes, chapter 13B.

Referred to the Committee on Judiciary.

Messrs. Pogemiller and Moe, R.D. introduced—

S.F. No. 281: A bill for an act relating to elections; changing the date of precinct caucuses to the second Tuesday in March; amending Minnesota Statutes 1982, section 202A.14, subdivision 1.

Referred to the Committee on Elections and Ethics.

Messrs. Moe, R.D. and Stumpf introduced—

S.F. No. 282: A bill for an act relating to Northwest Minnesota Multi-County Housing and Redevelopment Authority; providing for per diem compensation for attendance of commissioners at meetings.

Referred to the Committee on Energy and Housing.

Messrs. Diessner, Petty, Chmielewski and Mrs. Lantry introduced—

S.F. No. 283: A bill for an act relating to health; establishing in the department of health a program of financial aid and counseling assistance for certain pregnant women; allowing the recovery of assistance paid under some circumstances; prohibiting performance of an elective termination of a pregnancy in the absence of a certificate verifying that notice of the financial aid and counseling program was given to the woman before her pregnancy termination; appropriating money; amending Minnesota Statutes 1982, section 144.343, subdivision 2; proposing new law coded in Minnesota Statutes, chapters 144 and 145.

Referred to the Committee on Health and Human Services.

Ms. Berglin, Messrs. Moe, D.M.; Benson and Mrs. Lantry introduced—

S.F. No. 284: A bill for an act relating to occupations and professions; regulating psychologists; providing a 120-day period within which the board of psychology must take action on a complaint; amending Minnesota Statutes 1982, section 148.90, subdivision 3.

Referred to the Committee on Health and Human Services.

Messrs. Frank and Merriam introduced—

S.F. No. 285: A resolution memorializing the President and Congress of the United States in support of a mutual freeze with the Soviet Union on the testing, production, and deployment of nuclear weapons and delivery systems.

Referred to the Committee on Rules and Administration.

Messrs. Peterson, C.C.; Chmielewski; Bernhagen; Lessard and Frederickson introduced—

S.F. No. 286: A bill for an act relating to game and fish; prohibiting harassment of hunters, trappers, and fishers; providing penalties; proposing new law coded in Minnesota Statutes, chapter 97.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dicklich and Vega introduced—

S.F. No. 287: A bill for an act relating to insurance; accident and health; extending the period of time during which group coverage is in force for terminated employees who elect this coverage; amending Minnesota Statutes 1982, section 62A.17, subdivisions 2 and 5.

Referred to the Committee on Economic Development and Commerce.

Messrs. Dicklich, Pehler and Solon introduced—

S.F. No. 288: A bill for an act relating to workers' compensation; authorizing group worker's compensation self-insurance pools which include cities and private employers; proposing new law coded in Minnesota Statutes, chapter 176.

Referred to the Committee on Employment.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Tuesday, February 15, 1983. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate