

## SIXTY-THIRD DAY

St. Paul, Minnesota, Monday, March 12, 1984

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

Prayer was offered by the Chaplain, Rev. James M. McGowan.

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

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

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

Mr. Ramstad was excused from the Session of today.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

June 21, 1983

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

The following appointment as Director of the State Planning Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas J. Triplett, 2415 Sheridan Ave. S., Minneapolis, Hennepin

County, has been appointed by me, effective July 1, 1983, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Governmental Operations.)

June 24, 1983

The Honorable Jerome M. Hughes  
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:

Judith C. Corrao, 2303 - 27th Ave. S., Minneapolis, Hennepin County, has been appointed by me, effective June 24, 1983, for a term expiring the first Monday in January, 1987.

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

January 3, 1984

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

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

Marcia R. Gelpe, 875 Summit Ave., St. Paul, Ramsey County, has been appointed by me, effective January 3, 1984, for a term expiring the first Monday in January, 1988.

Duane A. Dahlberg, 421 Horn Ave. S., Moorhead, Clay County, has been appointed by me, effective January 3, 1984, for a term expiring the first Monday in January, 1988.

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

Sincerely,  
Rudy Perpich, Governor

### MESSAGES FROM THE HOUSE

Mr. President:

Pursuant to Joint Rule 3.02, the Conference Committee on H.F. No. 1149 was discharged after adjournment May 23, 1983 and the bill was laid on the table.

H.F. No. 1149: A bill for an act relating to liens; right of possession and liens on fabrication molds and patterns; providing a nonpossessory lien on personal property; lengthening the time limit for veterinary liens; amending Minnesota Statutes 1982, sections 514.18; 514.19; and 514.92, subdivision 1.

I have the honor to announce that on March 8, 1984, H.F. No. 1149 was taken from the table and new House conferees were appointed.

Clawson, Jacobs and Carlson, D., have been appointed as such committee on the part of the House.

House File No. 1149 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1984

Mr. Peterson, R.W. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1149, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 1421 and 939. The motion prevailed.

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 1240: A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 8; removing the constitutional restrictions on permanent school fund investments; establishing statutory restrictions; amending Minnesota Statutes 1982, section 11A.16, subdivision 4.

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

Page 1, line 26, delete "may" and insert "shall"

Page 3, line 1, strike "his" and insert "the issuer's"

Page 3, delete lines 5 to 7 and insert "“Shall the Minnesota Constitution be amended to allow the maximum investment of the permanent school fund in a manner prescribed by law?”"

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

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

S.F. No. 1127: A bill for an act relating to Anoka County; authorizing the issuance of bonds for the construction of library buildings and an annual levy for debt retirement.

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

Page 1, line 22, after the period, insert "The county board, prior to the issuance of any bonds authorized by section 1 and after adopting the resolution as provided above in this section, shall adopt a resolution by majority vote of the county board stating the amount, purpose and, in general, the security to be provided for the bonds, and shall publish the resolution once

*each week for two consecutive weeks in the medium of official and legal publication of the county. The bonds may be issued without the submission of the question of their issuance to the voters of the county library district unless within 21 days after the second publication of the resolution a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor. If a petition is filed, bonds may be issued unless disapproved by a majority of the voters of the county library district, voting on the question of their issuance at a regular or special election."*

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. 1396: A bill for an act relating to local government; requiring the county board of adjustment to take the town board's recommendation into consideration when making certain decisions; amending Minnesota Statutes 1982, section 394.27, subdivision 5.

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

Page 1, line 24, delete "town" and after "land" insert " within the town"

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. 1139: A bill for an act relating to local government; requiring notice of and hearings on increases in certain license fees; proposing new law coded in Minnesota Statutes, chapter 471.

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

Page 1, line 10, delete "engage in a business or"

Page 1, line 11, delete "commercial activity" and insert " own or operate a vending machine or to dispense goods or services therefrom"

Page 1, line 13, delete "ten" and insert "30"

Page 1, line 15, delete everything after "charter"

Page 1, line 16, delete everything before the period

Page 1, after line 16, insert:

"Sec. 2. [EFFECTIVE DATE.]

*This act is effective July 1, 1984."*

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

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

was referred

S.F. No. 1421: A bill for an act relating to public welfare; providing for rulemaking authority for the Community Social Services Act; amending Minnesota Statutes 1982, section 256E.05, subdivision 1.

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

Page 1, line 17, delete "*program*" and insert "*service*"

And when so amended the bill do pass. Mr. Waldorf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 341: A bill for an act relating to game and fish; authorizing a season on mourning doves; setting maximum daily and possession limits; amending Minnesota Statutes 1982, sections 100.27, subdivision 6; and 100.28, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1982, section 100.27, subdivision 6, is amended to read:

Subd. 6. All migratory game birds, excepting ~~Zenaida macroura~~ *mourning doves*, may be taken and possessed whenever and so long as the taking or possession is not prohibited by federal laws or regulations, subject, however, to all requirements of chapters 97 to 102, provided that it shall be unlawful to take any migratory game birds at any time in violation of any federal law or regulation. ~~Zenaida macroura~~ *Mourning doves* shall not be taken and possessed in the state.

Sec. 2. Minnesota Statutes 1982, section 100.27, is amended by adding a subdivision to read:

*Subd. 6a. Notwithstanding subdivision 6, in that portion of the state lying westerly of trunk highways numbered 72 and 71 the commissioner may establish experimental seasons in 1984 and 1985 for taking and possessing mourning doves. The commissioner shall prescribe the dates of the seasons and the daily and possession limits. Mourning doves may only be taken under this subdivision while in flight."*

Delete the title and insert:

"A bill for an act relating to game and fish; authorizing an experimental season on mourning doves in western Minnesota; amending Minnesota Statutes 1982, section 100.27, subdivision 6, and by adding a subdivision."

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

Mr. Merriam from the Committee on Agriculture and Natural Resources,

to which was referred

S.F. No. 1433: A bill for an act relating to natural resources; extension of state timber permits; amending Laws 1981, chapter 305, section 11, as amended; proposing new law coded in Minnesota Statutes, chapter 90.

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

Page 1, line 11, delete "*which*" and insert "*that*"

Page 1, line 15, after "*commissioner*" insert "*at least*"

Page 1, line 21, delete "*for*" and after "*the*" insert "*higher of the*" and delete "*determined*"

Page 1, line 22, delete "*of*" and insert "*the*" and delete everything after "*extension*" and insert "*is granted*"

Page 1, line 23, delete everything before "*at*" and insert "*or*"

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 1407: A bill for an act relating to natural resources; making changes in certain forestry laws; amending Minnesota Statutes 1982, sections 88.065; 90.031, subdivision 3; 90.041, subdivision 2; 90.251, subdivision 1; and 90.301, by adding a subdivision.

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

Page 1, line 16, after "*repair*" delete "*or*" and insert "*and*"

Page 1, line 17, delete "*or*" and insert "*and*" in both places

Page 1, line 19, after "*use*" strike "*for*" and delete "*the above purposes*"

Page 1, line 21, after "*repair*" delete "*or*" and insert "*and*"

Page 2, line 1, strike "*thereof*" and strike "*such*"

Page 2, lines 9 and 13, strike "*such*"

Page 2, line 14, strike "*in any case*"

Page 2, line 15, strike "*so*"

Page 2, line 17, strike "*thereof*"

Page 2, line 24, after "*upon*" delete "*the*" and delete "*as*"

Page 2, line 27, delete "*so*"

Page 2, line 28, delete "*such*" and delete "*in*"

Page 2, line 29, delete "*any case*"

Page 2, line 30, delete "*so*"

Page 2, line 32, delete "*thereof*"

Page 3, line 2, strike "such"

Page 3, line 3, strike "as will" and insert "sufficient to"

Page 3, line 8, strike "Such" and insert "The"

Page 3, lines 10, 13, and 26, strike "such"

Page 3, line 18, strike "such timber" and insert "it"

Page 3, line 27, strike "therein as will" and insert "to" and strike "such" and insert "the"

Page 3, line 30, strike "any such"

Page 3, line 33, delete ", as defined in" and insert "under" and delete ", subdivision 3"

Page 4, line 2, after "complaint" insert a comma

Page 4, line 8, delete "or magistrate" and after "other" insert "necessary" and delete "that is"

Page 4, line 9, delete "necessary"

Page 4, line 18, delete "This act is" and insert "Section 6 is effective the day following enactment. The remaining sections are"

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 868: A bill for an act relating to natural resources; designating the morel as the official state mushroom; proposing new law coded in Minnesota Statutes, chapter 1.

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

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 1656: A bill for an act relating to communications; providing conditions for extension of cable communications service outside the boundaries of a core service unit; amending Minnesota Statutes 1982, section 238.17, subdivision 1.

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

Page 1, line 20, reinstate the stricken language

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

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 1349: A bill for an act relating to liquor; abolishing prohibition on

furnishing liquor to certain persons and exclusion of certain persons from liquor establishments after notice; amending Minnesota Statutes 1982, sections 340.601; and 340.81; repealing Minnesota Statutes 1982, sections 340.73, subdivision 2; and 340.78.

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

Pages 2 to 3, delete section 2

Page 3, line 4, delete "and" and after the semicolon, insert "and 340.81;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "sections" and insert "section"

Page 1, line 6, delete "and 340.81;"

Page 1, line 7, delete "and" and before the period, insert "; and 340.81"

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

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 1475: A bill for an act relating to communications; permitting a municipality to be represented by its designee on a joint cable communication commission; amending Minnesota Statutes 1982, section 238.08, subdivision 5.

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

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 939: A resolution memorializing the President and the Congress of the United States to repeal the Federal Reserve Act.

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

Page 1, line 18, after "delegate" insert "to a private organization"

Page 2, lines 4 and 5, delete ", a consortium of private bankers,"

Page 2, delete lines 9 to 13

Page 2, delete lines 19 to 22

Page 2, lines 28 and 29, delete "- and return to the gold standard"

Page 2, line 33, delete "and restore the gold standard"

And when so amended the resolution do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the resolution 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. 1493: A bill for an act relating to public welfare; directing the commissioner of public welfare to study the need for a home and community-based service and apply for a waiver for chronically ill children under the federal medicaid program; proposing new law coded in Minnesota Statutes, chapter 256B.

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

Page 1, line 14, after "been" insert "and will continue to be" and delete "for a period longer than six"

Page 1, line 15, delete "months, and would continue to be hospitalized"

Page 1, line 25, delete "as amended through December 31, 1982"

Page 2, line 2, delete "social" and insert "supplemental"

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

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

S.F. No. 1491: A bill for an act relating to children; providing special foster care and adoption procedures for Indian children; empowering tribal courts with jurisdiction of Indian child welfare; proposing new law coded in Minnesota Statutes, chapter 257.

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

Delete everything after the enacting clause and insert:

"Section 1. [257.35] [CITATION.]

*Sections 1 to 16 may be cited as the "Minnesota Indian Child Welfare Act."*

Sec. 2. [257.351] [LEGISLATIVE PURPOSE.]

*The legislature declares that it is the policy of this state to protect the ethnic heritage or background of children who are subject to foster care or adoption. Where Indian children are involved, this policy can be implemented by maximizing cooperation between the state and the Indian children's tribes, by adopting or improving upon federal requirements in the area of Indian children subject to foster care or adoption, and by acknowledging and supporting the power of Indian tribes to develop tribal courts to take jurisdiction over the subject matter of sections 1 to 16.*

Sec. 3. [257.352] [DEFINITIONS.]

*Subdivision 1. [SCOPE.] As used in sections 1 to 16, the following terms have the meanings given them.*

*Subd. 2. [ADMINISTRATIVE REVIEW.] "Administrative review" means review under Minnesota Statutes, section 257.071.*

*Subd. 3. [CHILD CUSTODY PROCEEDING.] "Child custody proceed-*

ing" means a judicial proceeding that could result in:

(1) "adoptive placement," which means the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption;

(2) "involuntary foster care placement," which means an action removing an Indian child from its parents or Indian custodian for temporary placement in a foster home, institution, or the home of a guardian when the parent or Indian custodian cannot have the child returned upon demand, but parental rights have not been terminated;

(3) "preadoptive placement," which means the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, before or instead of adoptive placement; or

(4) "termination of parental rights," which means any action resulting in the termination of the parent-child relationship under the provisions of Minnesota Statutes, section 260.221.

"Child custody proceeding" includes proceedings involving placements based upon juvenile status offenses, but not placements based upon acts which if committed by an adult would be deemed a crime, or based upon an award of custody in a divorce proceeding to one of the parents.

Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of public welfare.

Subd. 5. [DEMAND.] "Demand" means a written and notarized statement signed by a parent or Indian custodian of a child requesting the return of the child who has been voluntarily placed in foster care.

Subd. 6. [EXPERT WITNESS.] "Expert witness" means (1) a member of the Indian child's tribe recognized or certified by the tribe as knowledgeable in tribal customs relating to family organizations and child-rearing practices; or (2) a lay expert witness or professional person having substantial experience in the delivery of child and family services to Indians and extensive knowledge of prevailing social and cultural standards and child-rearing practices within the Indian child's tribe.

Subd. 7. [EXTENDED FAMILY MEMBER.] "Extended family member" means a person so designated by tribal law or custom of the Indian child's tribe. In the absence of tribal law or custom, an extended family member is a person who has reached the age of 18 and is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, stepparent, or stepbrother or step-sister.

Subd. 8. [INDIAN.] "Indian" means any person who is a member of an Indian tribe or an Alaskan native and a member of a Regional Corporation as defined in section 7 of the Alaska Native Claims Settlement Act, United States Code, title 43, section 1606.

Subd. 9. [INDIAN CHILD.] "Indian child" means an unmarried person who is under age 18 and is:

(1) a member of an Indian tribe; or

(2) eligible for membership in an Indian tribe and the biological child of a

*member of an Indian tribe.*

*Subd. 10. [INDIAN CHILD'S TRIBE.] "Indian child's tribe" means the Indian tribe of which an Indian child is a member or is eligible for membership. In the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian child's tribe is the tribe with which the Indian child has the most significant contacts. If that tribe does not express an interest in the outcome of the actions taken under sections 1 to 16 with respect to the child, any tribe in which the child is eligible for membership that expresses an interest in the outcome may act as the Indian child's tribe.*

*Subd. 11. [INDIAN CUSTODIAN.] "Indian custodian" means an Indian person who has legal custody of an Indian child under tribal law or custom or under state law, or to whom temporary physical care, custody, and control has been transferred by the parent of the child.*

*Subd. 12. [INDIAN TRIBE.] "Indian tribe" means an Indian tribe, bank, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary because of their status as Indians, including any band under the Alaska Native Claims Settlement Act, United States Code, title 41, section 1602.*

*Subd. 13. [LOCAL SOCIAL SERVICE AGENCY.] "Local social service agency" means the local agency under the authority of the county welfare or human services board or county board of commissioners that is responsible for human services.*

*Subd. 14. [PARENT.] "Parent" means the biological parent of an Indian child or any Indian person who has lawfully adopted an Indian child, including a person who has adopted a child by tribal law or custom.*

*Subd. 15. [PRIVATE CHILD PLACING AGENCY.] "Private child placing agency" means a private individual, organization, association or corporation providing assistance to children and parents in their own homes and placing children in foster care or for adoption.*

*Subd. 16. [RESERVATION.] "Reservation" means Indian country as defined in United States Code, title 18, section 1151, and any lands that are held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation.*

*Subd. 17. [SECRETARY.] "Secretary" means the secretary of the United States Department of the Interior.*

*Subd. 18. [TRIBAL COURT.] "Tribal court" means a court with jurisdiction over child custody proceedings that is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe, or the administrative body of a tribe that is vested with authority over child custody proceedings.*

*Subd. 19. [VOLUNTARY FOSTER CARE PLACEMENT.] "Voluntary foster care placement" means a decision in which there has been participation by a local social service agency or private child placing agency resulting in the temporary placement of an Indian child away from the home of its parents or Indian custodian in a foster home, institution, or the home of a*

*guardian, and the parent or Indian custodian may have the child returned upon demand.*

Sec. 4. [257.353] [SOCIAL SERVICE AGENCY NOTICE TO TRIBES.]

*When the local social service agency determines that an Indian child is in a dependent or other condition that could lead to an out-of-home placement and requires the continued involvement of the agency with the child for a period in excess of 30 days, the agency shall send notice of the condition and the initial steps taken to remedy it to the Indian child's tribe within seven days of the determination. The local social service agency shall give the tribe full cooperation, including access to all files concerning the child if the tribe so requests, notwithstanding the provisions of chapter 13.*

Sec. 5. [257.354] [VOLUNTARY FOSTER CARE PLACEMENTS.]

*Subdivision 1. [NOTICE.] When an Indian child is voluntarily placed in foster care, the social service agency or private child placing agency involved in the decision to place the child shall give notice of the placement in the manner required under section 8 to the parents, the tribe, and the Indian custodian, or, under the circumstances described in section 8, the secretary, within seven days of placement.*

*Subd. 2. [NOTICE OF ADMINISTRATIVE REVIEW.] In an administrative review of a voluntary foster care placement, the tribe of the child, the Indian custodian, and the parents of the child shall have notice and a right of participation in the review, including access to all files and documents pertaining to the placement notwithstanding the provisions of chapter 13.*

*Subd. 3. [RETURN OF A CHILD IN VOLUNTARY PLACEMENT.] Upon demand by the parent or Indian custodian of an Indian child, the local social service agency shall return the child in voluntary foster care placement to the parent or Indian custodian within 24 hours of the receipt of the demand.*

Sec. 6. [257.355] [EFFECT OF TRIBAL COURT PLACEMENT ORDERS.]

*To the extent that any child subject to the provisions of this act is otherwise eligible for social services, orders of a tribal court concerning placement of the child shall have the same force and effect as orders of a court of this state.*

Sec. 7. [257.356] [JURISDICTION; INTERVENTION; FULL FAITH AND CREDIT.]

*Subdivision 1. [INDIAN TRIBE JURISDICTION.] An Indian tribe that has a tribal court has exclusive jurisdiction over a child custody proceeding involving an Indian child who resides or is domiciled within the reservation of the tribe. When an Indian child is in the legal custody of a person or agency pursuant to an order of a tribal court, the Indian tribe retains exclusive jurisdiction.*

*Subd. 2. [TRANSFER OF PROCEEDINGS.] In a proceeding for the termination of parental rights to or involuntary foster care placement of an Indian child not within the jurisdiction of the tribe under subdivision 1, the court shall transfer the proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent, the Indian custo-*

dian, or the Indian child's tribe. Jurisdiction may be declined by the tribal court of the tribe.

*Subd. 3. [INTERVENTION BY TRIBE.] In a proceeding for the termination of parental rights to or involuntary foster care placement of an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceedings.*

*Subd. 4. [FULL FAITH AND CREDIT.] The state and its political subdivisions shall give full faith and credit to the public acts, records, and judicial proceedings of an Indian tribe that apply to Indian child custody proceedings.*

**Sec. 8. [257.357] [FOSTER CARE.]**

*Subdivision 1. [INVOLUNTARY PROCEEDING.] In a child custody proceeding the court shall determine whether an Indian child is involved. The party seeking the involuntary foster care placement or termination of parental rights to an Indian child shall notify the parent and Indian custodian and the Indian child's tribe, by registered mail with return receipt requested, of the pending proceedings and of their right of intervention. If notification by registered letter return receipt requested is unsuccessful, notice by personal service shall be attempted no later than ten days after the mailing of the registered letter. If the identity or location of the parent or Indian custodian or the tribe cannot be determined, or if the attempt to serve notice to any of these parties is unsuccessful, notice must be served upon the secretary in like manner. No child custody proceeding that could have as a possible outcome either an involuntary foster care placement or a termination of parental rights shall be held until at least ten days after receipt of notice by the parent and Indian custodian and the tribe. If it has been necessary to serve notice upon the secretary, no proceeding shall be held until at least 20 days after receipt of the notice by the secretary. The parent or Indian custodian or the tribe shall, upon request, be granted up to 20 additional days to prepare for the proceeding.*

*Subd. 2. [INDIGENCY.] When the court determines indigency, the parent, the Indian custodian, and the child have the right to court-appointed counsel in a removal, placement, or termination proceeding. When an Indian custodian is involved, the court shall seek payment for legal counsel from the secretary in the manner described in United States Code, title 25, section 1912(b).*

*Subd. 3. [ACCESS TO DOCUMENTS.] Each party entitled to notice of a child custody proceeding involving an Indian child that could have as a possible outcome an involuntary foster care placement or termination of parental rights may examine all reports or other documents pertaining to the placement or termination, notwithstanding the provisions of chapter 13.*

*Subd. 4. [REMEDIAL SERVICES.] When a party initiates a child custody proceeding involving an Indian child that could have as a possible outcome an involuntary foster care placement or termination of parental rights, that party shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the break-up of the Indian family, including notice to the child's tribe, and that these efforts have proved unsuccessful.*

*Subd. 5. [ADMISSIONS.] Where a parent or Indian custodian voluntarily admits to the allegations of the complaint or petition in a child custody proceeding, the admission is not valid unless executed in writing, recorded before a judge, and accompanied by the presiding judge's certificate that the terms and consequences of the admission were fully explained and fully understood by the parent or Indian custodian. The court shall also certify that either the parent or Indian custodian fully understood the explanation in English or that it was interpreted in a language that the parent or Indian custodian understood.*

*Subd. 6. [EVIDENCE REQUIRED FOR INVOLUNTARY FOSTER CARE PLACEMENT.] No involuntary foster care placement may be ordered in a proceeding absent a determination supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.*

*Subd. 7. [EVIDENCE REQUIRED FOR TERMINATION OF PARENTAL RIGHTS.] No termination of parental rights may be ordered in a proceeding absent a determination supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.*

*Subd. 8. [EFFECT OF PRIOR VOLUNTARY PLACEMENT.] No involuntary foster care placement or termination of parental rights may be ordered where the determination is based solely upon the prior voluntary placement of the child.*

**Sec. 9. [257.358] [PARENTAL RIGHTS; VOLUNTARY TERMINATION.]**

*Subdivision 1. [PARENTAL CONSENT WITHDRAWN.] In a voluntary proceeding involving an Indian child for termination of parental rights or adoptive placement, the parent may withdraw consent for any reason at any time before the entry of a final decree of termination or adoption and the child shall be returned to the parent.*

*Subd. 2. [WITHDRAWN CONSENT; UNDUE INFLUENCE.] After the entry of a final decree of adoption of an Indian child, the parent may withdraw consent on the grounds that consent was obtained through undue influence, fraud, or duress and may petition the court to vacate the decree. Upon a finding that the consent was obtained through undue influence, fraud, or duress, the court shall vacate the decree and return the child to the parent.*

*Subd. 3. [RESTRICTIONS UPON CONSENT.] No consent to a termination of parental rights to or adoptive placement of an Indian child made prior to or within ten days of birth of the Indian child is valid.*

**Sec. 10. [257.359] [ADOPTIVE OR FOSTER PLACEMENT.]**

*Subdivision 1. [ADOPTION PLACEMENT PREFERENCE.] In an adoptive placement of an Indian child, a preference shall be given, absent good cause to the contrary, to a placement with:*

- (1) a member of the child's extended family;*
- (2) other members of the Indian child's tribe; or*

(3) *other Indian families.*

*Subd. 2. [PLACEMENT FOR PREADOPTIVE OR FOSTER CARE.] A child accepted for foster care or preadoptive placement must be placed in the least restrictive setting that most resembles a family and in which his or her special needs, if any, may be met. The child must be placed reasonably close to his or her home, taking into account any special needs of the child. The child shall be placed in an environment that maintains sibling relationships, taking into account any special needs of the child. In a foster care or preadoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with:*

*(1) a member of the Indian child's extended family;*

*(2) a foster home licensed, approved, or specified by the Indian child's tribe;*

*(3) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or*

*(4) an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs.*

*Subd. 3. [TRIBAL PREFERENCE FOR PLACEMENT.] In the case of a placement under subdivisions 1 and 2 of this section, if the Indian child's tribe establishes a different order of preference by resolution, the agency or court effecting the placement shall follow the order as long as the placement is the least restrictive setting appropriate to the particular needs of the child, as provided in subdivision 2. If appropriate, the preference of the Indian child or parent shall be considered.*

*Subd. 4. [STANDARDS FOR PREFERENCE.] The standards to be applied in meeting the preference requirements of this section are the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or with which the parent or extended family members maintain social and cultural ties.*

*Subd. 5. [PLACEMENT RECORDS.] The commissioner shall maintain a record of the number and names of Indian children in placement by county of placement. The record shall identify Indian children in placement in terms of the order of preference described in this section. This information shall be made available to an Indian tribe upon request by the tribe notwithstanding the provisions of chapter 13.*

*Subd. 6. [LOCATING THE EXTENDED FAMILY.] The agency seeking placement is responsible for identifying and locating extended family members.*

*Subd. 7. [PLACEMENT OUT OF ORDER OF PREFERENCE.] Where good cause exists to make a placement not within the order of preference described in this section, the court must determine that the benefits of the placement outweigh the potential effect of racial or ethnic discrimination against the child.*

Sec. 11. [257.360] [STANDING TO INVALIDATE PROCEEDINGS.]

*An Indian child who is the subject of an action for involuntary foster care*

*placement or termination of parental rights, a parent or Indian custodian from whose custody the child was removed, and the Indian child's tribe may petition the court to invalidate the action upon a showing that the action was in violation of sections 3 to 10.*

**Sec. 12. [257.361] [PETITION FOR RETURN OF CUSTODY; REMOVAL FROM FOSTER CARE.]**

*Subdivision 1. [BIOLOGICAL PARENT PETITION.] When a final decree of adoption of an Indian child has been vacated or set aside, or the adoptive parents voluntarily consent to the termination of their parental rights to the child, a biological parent or prior Indian custodian may petition for return of custody and the court shall grant such petition unless there is a showing, in a proceeding subject to the provisions of section 8, that the return of custody is not in the best interests of the child.*

*Subd. 2. [NOTICE OF REMOVAL; REVIEW.] Whenever the placement of an Indian child may be changed, advance notice shall be provided to the child's tribe, and to the parents and the Indian custodian whose familial rights have not been terminated. Review of the placement shall be granted upon petition by the tribe or the parents or Indian custodian whose familial rights have not been terminated.*

**Sec. 13. [257.362] [INFORMATION ON TRIBAL AFFILIATION AND BIOLOGICAL PARENTS.]**

*Upon application by an adopted Indian child over the age of 18, the court which entered the final decree shall inform the individual of the tribal affiliation, if any, of the individual's biological parents and provide other information necessary to protect rights flowing from the individual's tribal relationship.*

**Sec. 14. [257.363] [IMPROPER REMOVAL OF CHILD FROM CUSTODY.]**

*If any petitioner in an Indian child custody proceeding has improperly removed the child from custody of the parent or Indian custodian, or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over the petition and shall return the child to his parent or Indian custodian unless returning the child to his parent or custodian would subject the child to a substantial and immediate danger or threat of danger.*

**Sec. 15. [257.364] [EMERGENCY REMOVAL OF CHILD.]**

*Nothing in sections 1 to 16 prevents the emergency removal of an Indian child from his parent or Indian custodian or the emergency placement of the child in a foster home or institution in order to prevent imminent physical harm to the child. The local social service agency or private child-placing agency involved shall ensure that the emergency removal or placement terminates immediately when removal or placement is no longer necessary to prevent imminent physical harm to the child, and shall promptly initiate a child custody proceeding subject to the provisions of sections 1 to 16, transfer the child to the jurisdiction of the appropriate Indian tribe, or restore the child to the parent or Indian custodian.*

**Sec. 16. [257.365] [RECORDS; INFORMATION AVAILABILITY.]**



*Subdivision 1. [COURT DECREE INFORMATION.] A state court entering a final decree or order in an Indian child adoptive placement shall provide the secretary, the department of public welfare, and the child's tribe with a copy of the decree or order together with other information necessary to show:*

- (1) the name and tribal affiliation of the child;*
- (2) the names and addresses of the biological parents;*
- (3) the names and addresses of the adoptive parents; and*

*(4) the identity of any agency having files or information relating to the adoptive placement.*

*If the court records contain an affidavit of the biological parent or parents requesting anonymity, the court shall delete the name and address of the biological parents from the information sent to the child's tribe.*

*Subd. 2. [DISCLOSURE OF RECORDS.] Upon the request of the adopted Indian child over the age of 18, the adoptive or foster parents of an Indian child, or an Indian tribe, the department of public welfare shall disclose information necessary for membership of an Indian child in the tribe in which the child may be eligible for membership, or for determining any rights or benefits associated with that membership. If the documents relating to the child contain an affidavit from the biological parent or parents requesting anonymity, the department of public welfare shall delete the name and address of the biological parents from the information sent to the child's tribe."*

Delete the title and insert:

"A bill for an act relating to children; providing special foster care and adoption procedures for Indian children; proposing new law coded in Minnesota Statutes, chapter 257."

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1703: A bill for an act relating to transportation; public transit; creating a regional transit board and specifying its powers and duties; transferring certain powers and duties to the regional transit board from the commissioner of transportation and the metropolitan transit commission; specifying certain powers of the metropolitan council; reducing and reappropriating certain appropriations; amending Minnesota Statutes 1982, sections 174.22, subdivisions 5, 10, 13, and by adding a subdivision; 174.23, subdivisions 2 and 4; 174.24, subdivisions 1, 2, and 5; 221.295; 473.121, subdivisions 7, 10, 11, 18, 19, and by adding subdivisions; 473.146, subdivisions 3 and 4; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.404; 473.405; 473.409; 473.411; 473.416; 473.435; 473.436, by adding a subdivision; 473.445; 473.446, by adding subdivisions; 473.449; Minnesota Statutes 1983 Supplement, sections 15A.081, subdivision 7; 174.24, subdivision 3; 221.041, by adding a subdivision; 221.071, subdivision 1;

proposing new law coded in Minnesota Statutes, chapters 221; and 473; repealing Minnesota Statutes 1982, sections 174.03, subdivision 5a; 174.24, subdivisions 3a and 4; 473.121, subdivisions 9 and 16; 473.401; 473.402; 473.403; 473.411, subdivision 1; 473.413, as amended; 473.451; 474.265; 474.31.

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

Page 14, line 25, after "for" insert "all people in"

Page 14, line 26, after "arrange" insert ", to the greatest feasible extent,"

Page 14, line 27, after "of" insert "all people in"

Page 14, line 30, after "efficient" insert "and coordinated"

Page 15, line 31, delete "extended-term budget" and insert "financial plan"

Page 16, line 25, delete ", accept"

Page 17, line 15, after "or" insert "the"

Page 19, delete lines 28 to 36

Page 20, delete lines 1 to 19 and insert:

*"Subd. 2. [FINANCIAL PLAN; COUNCIL APPROVAL.] Along with its annual budget, each year the board shall prepare a financial plan for the succeeding three calendar years. The financial plan must be consistent with the board's implementation plan and must contain the elements specified in section 4, subdivision 2, clauses (a), (e), (f), and (g). The financial plan prepared in even-numbered years must contain a proposed request for state financial assistance for the succeeding biennium. The board shall submit the financial plan to the council for review and approval or disapproval. The council may approve or disapprove in whole or in part. The council may disapprove only for inconsistency with the policy plan of the council.*

*Subd. 3. [EXCEPTION.] The capital budget and financial plan of the board prepared in 1984 need not be submitted to the council until December 1, 1984, and the council has 30 days for review."*

Page 23, line 36, delete ", subdivision 3"

Page 45, line 29, delete "extended-term budget" and insert "financial plan"

Page 49, after line 16, insert:

*"(1) the advantages and disadvantages of requiring that all contracts for regular route transit services contain provisions for the payment of prevailing wages;"*

Page 49, line 17, delete "(1)" and insert "(2)"

Page 49, line 21, delete "(2)" and insert "(3)"

Amend the title as follows:

Page 1, line 24, after the second semicolon insert "174.265; 174.31;"

Page 1, line 26, delete the third semicolon

Page 1, line 27, delete everything before the period

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 1127, 1396, 1139, 341, 1433, 868, 1656, 1349 and 1475 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Vega moved that the name of Mr. Moe, D.M. be added as a co-author to S.F. No. 433. The motion prevailed.

Ms. Berglin moved that the name of Mr. Petty be added as a co-author to S.F. No. 1417. The motion prevailed.

Mr. Peterson, C.C. moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1429. The motion prevailed.

Ms. Reichgott moved that the names of Messrs. Freeman and Pogemiller be added as co-authors to S.F. No. 1471. The motion prevailed.

Mr. Novak moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1508. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1546. The motion prevailed.

Mr. Spear moved that the name of Mr. Diessner be added as a co-author to S.F. No. 1614. The motion prevailed.

Mr. Novak moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1699. The motion prevailed.

Mr. Laidig moved that the names of Messrs. Chmielewski and Jude be added as co-authors to S.F. No. 1709. The motion prevailed.

Mrs. McQuaid moved that the name of Ms. Olson be added as a co-author to S.F. No. 1716. The motion prevailed.

Mrs. McQuaid moved that the name of Ms. Olson be added as a co-author to S.F. No. 1717. The motion prevailed.

Ms. Olson moved that the name of Mr. Luther be added as a co-author to S.F. No. 1719. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Spear be added as a co-author to S.F. No. 1728. The motion prevailed.

Mr. Wegscheid moved that the names of Messrs. Solon, Benson and Belanger be added as co-authors to S.F. No. 1732. The motion prevailed.

Mr. Novak moved that the name of Mr. Frank be added as a co-author to S.F. No. 1735. The motion prevailed.

Mr. Schmitz moved that the names of Messrs. Solon; Moe, R.D. and Spear be added as co-authors to S.F. No. 1775. The motion prevailed.

Mr. Hughes introduced—

Senate Resolution No. 71: A Senate resolution welcoming former state senators back to the Senate upon the occasion of the first general reunion of former senators.

Referred to the Committee on Rules and Administration.

Messrs. Laidig and Diessner introduced—

Senate Resolution No. 72: A Senate resolution congratulating the boys' and girls' cross country and downhill ski teams from Stillwater High School for winning the 1984 State High School Skiing Championships.

Referred to the Committee on Rules and Administration.

Mr. Lessard introduced—

Senate Resolution No. 73: A Senate resolution proclaiming Vietnam POW-MIA Day in Minnesota; 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; urging all Minnesotans to join with the families of those who are missing in the hope that their long wait will soon be over.

Referred to the Committee on Rules and Administration.

Mr. Bertram introduced—

Senate Resolution No. 74: A Senate resolution commending Clayton Johnson for his public service to the people of Minnesota on the occasion of his retirement from state service on March 2, 1984.

Referred to the Committee on Rules and Administration.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Isackson, Bernhagen, Anderson, Frederickson and Johnson, D.E. introduced—

S.F. No. 1798: A bill for an act relating to state government; providing deadlines for job applications for state jobs; proposing new law coded in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich; Johnson, D.J. and Spear introduced—

S.F. No. 1799: A bill for an act relating to utilities; setting maximum interest charge on delinquent utility billings; proposing new law coded in Minnesota Statutes, chapter 216B.

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

Messrs. Peterson, R.W.; Chmielewski; Davis and Dicklich introduced—

S.F. No. 1800: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing the issuance of state bonds; appropriating money.

Referred to the Committee on Finance.

Mr. Wegscheid introduced—

S.F. No. 1801: A bill for an act relating to charities; requiring disclosure from professional fund raisers; amending Minnesota Statutes 1982, section 309.556.

Referred to the Committee on Veterans and General Legislation.

Mr. Samuelson introduced—

S.F. No. 1802: A bill for an act relating to the town of Green Prairie; permitting the town to exercise certain powers.

Referred to the Committee on Local and Urban Government.

Mrs. Adkins introduced—

S.F. No. 1803: A bill for an act relating to motor vehicles; prohibiting registration of a motor vehicle reported as being a total loss; proposing new law coded in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

Mr. Peterson, R.W. introduced—

S.F. No. 1804: A bill for an act relating to dogs; authorizing persons to destroy certain dogs; declaring certain dogs to be public nuisances; changing certain procedures relating to dogs; requiring certain vaccinations; protecting guide dogs; imposing penalties; amending Minnesota Statutes 1982, sections 347.03; 347.04; 347.06; 347.11, subdivision 1; 347.14, subdivision 1; and 347.17; proposing new law coded in Minnesota Statutes, chapters 347 and 609; repealing Minnesota Statutes 1982, sections 347.05 and 347.07.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Wegscheid introduced—

S.F. No. 1805: A bill for an act relating to commerce; modifying the definition of "franchise" for purposes of franchise regulation; amending Minnesota Statutes 1982, section 80C.01, subdivision 4.

Referred to the Committee on Economic Development and Commerce.

Messrs. Jude, Knaak and DeCramer introduced—

S.F. No. 1806: A bill for an act relating to public utilities; telephone companies; requiring public utility commission review and approval of transactions involving a transfer of assets between a regulated utility and a corporation or person having an affiliated interest in the utility; amending Minnesota

Statutes 1982, section 216B.48, subdivisions 1, 3, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapters 216B and 237.

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

Ms. Peterson, D.C.; Messrs. Merriam, Benson and Peterson, R.W. introduced—

S.F. No. 1807: A bill for an act relating to commerce; clarifying the right of indirect purchasers to sue for damages under the Minnesota Antitrust Law of 1971; amending Minnesota Statutes 1982, section 325D.57.

Referred to the Committee on Judiciary.

Mr. Johnson, D.E. introduced—

S.F. No. 1808: A bill for an act relating to Kandiyohi county; permitting the county to use city outlet payments to reduce assessments for benefits from county ditches 10 and 46.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Peterson, D.C. introduced—

S.F. No. 1809: A bill for an act relating to elections; clarifying certain provisions relating to voting machines; amending Minnesota Statutes 1982, sections 123.32, subdivision 7; 204C.24, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 206; repealing Minnesota Statutes 1982, sections 206.01 to 206.23.

Referred to the Committee on Elections and Ethics.

Ms. Peterson, D.C. introduced—

S.F. No. 1810: A bill for an act relating to insurance; homeowner's; providing certain notice requirements upon policy nonrenewal, reduction in the limits of coverage, or elimination of coverage; authorizing the commissioner to adopt rules; amending Minnesota Statutes 1982, section 65A.29, by adding subdivisions; repealing Minnesota Statutes 1982, section 65A.29, subdivision 2.

Referred to the Committee on Economic Development and Commerce.

Ms. Peterson, D.C. introduced—

S.F. No. 1811: A bill for an act relating to public improvements; providing for rehabilitation and renovation at the Minneapolis veterans home; authorizing issuance of state bonds; appropriating money.

Referred to the Committee on Finance.

Mr. Johnson, D.E. introduced—

S.F. No. 1812: A bill for an act relating to public waters and wetlands;

clarifying certain terms; amending Minnesota Statutes 1982, section 105.37, subdivision 14.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegscheid, Lessard, DeCramer, Solon and Willet introduced—

S.F. No. 1813: A bill for an act relating to motor fuels; setting standards for gasoline and gasoline-alcohol blends; providing testing authority for the weights and measures division of the department of public service; requiring alcohol content disclosure; providing for labeling; appropriating money; amending Minnesota Statutes 1982, sections 296.01, subdivision 3; 296.05, subdivisions 1, 4, 6, and by adding a subdivision; and 296.22, by adding a subdivision.

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

Messrs. Peterson, D.L.; Sieloff; Dieterich and Knaak introduced—

S.F. No. 1814: A bill for an act relating to insurance; automobile; requiring a premium reduction for certain persons who complete an accident prevention course; proposing new law coded in Minnesota Statutes, chapter 65B.

Referred to the Committee on Economic Development and Commerce.

Messrs. Stumpf, Dicklich, Ms. Berglin, Messrs. Johnson, D.E. and Schmitz introduced—

S.F. No. 1815: A bill for an act relating to hospitals; giving various public hospital authorities the powers of nonprofit corporations; proposing new law coded in Minnesota Statutes, chapter 317.

Referred to the Committee on Health and Human Services.

Mr. Storm introduced—

S.F. No. 1816: A bill for an act relating to the legislature; providing for a statement of economic impact for bills and rules; proposing new law coded in Minnesota Statutes, chapters 3 and 14.

Referred to the Committee on Governmental Operations.

Messrs. Storm and Anderson introduced—

S.F. No. 1817: A bill for an act relating to marriage dissolution; imposing a penalty for delinquency in paying child support; proposing new law coded in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Messrs. Kamrath, Frederickson, Mrs. McQuaid and Mr. Peterson, D.L. introduced—

S.F. No. 1818: A bill for an act relating to school districts; reducing the

basic maintenance mill rate; amending Minnesota Statutes 1983 Supplement, section 124.2122, subdivision 2.

Referred to the Committee on Education.

Ms. Berglin and Mr. Diessner introduced—

S.F. No. 1819: A bill for an act relating to public welfare; clarifying the calculation of rates paid to health maintenance organizations; requiring the use of certain presentation materials; amending Minnesota Statutes 1982, sections 256.966, subdivision 2; and 256B.05, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Ms. Berglin and Mr. Diessner introduced—

S.F. No. 1820: A bill for an act relating to public welfare; allowing reimbursement for certain services under the state general assistance medical care program; amending Minnesota Statutes 1983 Supplement, section 256D.03, subdivision 4.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, R.W.; Knaak; Sieloff and Freeman introduced—

S.F. No. 1821: A bill for an act relating to powers of attorney; providing procedures for granting powers of attorney; construing various specific powers; amending Minnesota Statutes 1982, sections 508.72; 508A.72; proposing new law coded as Minnesota Statutes, chapter 523; repealing Minnesota Statutes 1982, sections 51A.25; 354.10; 507.291; 507.292; 507.293; 507.39; 524.5-502; 524.5-505; and 528.16.

Referred to the Committee on Judiciary.

Mr. Johnson, D.J. introduced—

S.F. No. 1822: A bill for an act relating to retirement; authorizing benefit increases for retired Eveleth police officers, firefighters, and surviving spouses.

Referred to the Committee on Governmental Operations.

Mr. Peterson, C.C. introduced—

S.F. No. 1823: A bill for an act relating to county humane societies; allowing for an increase in the appropriation a county may give to a county humane society in any year; amending Minnesota Statutes 1982, section 343.11.

Referred to the Committee on Veterans and General Legislation.

Mr. Peterson, C.C. introduced—

S.F. No. 1824: A bill for an act relating to Otter Tail county; authorizing the board of county commissioners to sell certain real property.

Referred to the Committee on Local and Urban Government.



Mr. Peterson, C.C. introduced—

S.F. No. 1825: A bill for an act relating to Otter Tail County; authorizing the county board to adopt an ordinance for the control of dogs and cats.

Referred to the Committee on Local and Urban Government.

Messrs. Freeman, Solon, Wegscheid, Ms. Peterson, D.C. and Mr. Luther introduced—

S.F. No. 1826: A bill for an act relating to state government; specifying powers and duties of the commissioner of the department of energy and economic development; providing services for small businesses; amending Minnesota Statutes 1982, sections 116J.67, subdivision 8; 116J.68; Minnesota Statutes 1983 Supplement, sections 116J.10; 116J.61; proposing new law coded in Minnesota Statutes, chapter 116J.

Referred to the Committee on Economic Development and Commerce.

Messrs. Freeman, Petty, Laidig, Belanger and Solon introduced—

S.F. No. 1827: A bill for an act relating to financial institutions; qualifying obligations of the African Development Bank for public and private investment; amending Minnesota Statutes 1982, sections 11A.24, subdivision 2; 50.14, by adding a subdivision; and 61A.28, subdivision 2; Minnesota Statutes 1983 Supplement, section 60A.11, subdivision 14.

Referred to the Committee on Economic Development and Commerce.

Mr. Ulland introduced—

S.F. No. 1828: A bill for an act relating to criminal procedure; providing for the disposition of certain fines and penalties; amending Minnesota Statutes 1983 Supplement, section 487.33, subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Anderson, Storm, Frederick, Isackson and Bernhagen introduced—

S.F. No. 1829: A bill for an act relating to the legislature; providing a minimum time between final agreement upon a conference committee report and floor action; proposing new law coded in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Messrs. Stumpf, DeCramer, Novak and Peterson, C.C. introduced—

S.F. No. 1830: A bill for an act relating to transportation; requiring the rear car of trains to be an occupied caboose car; requiring caboose cars to be equipped with a shortwave radio; imposing a penalty; amending Minnesota Statutes 1982, sections 219.56 and 219.97, subdivision 6.

Referred to the Committee on Transportation.

Mr. Kroening, Ms. Peterson, D.C.; Messrs. Spear and Petty introduced—

S.F. No. 1831: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the park and recreation board; amending Laws 1974, chapter 181, section 1, as amended.

Referred to the Committee on Local and Urban Government.

Mr. Spear introduced—

S.F. No. 1832: A bill for an act relating to corrections; clarifying the effect of punitive segregation confinement on an inmate's scheduled release date; amending Minnesota Statutes 1983 Supplement, sections 244.04, subdivision 1; and 244.05, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Petty and Dahl introduced—

S.F. No. 1833: A bill for an act relating to crimes; changing the limitation period for certain criminal sexual conduct offenses; amending Minnesota Statutes 1982, section 628.26

Referred to the Committee on Judiciary.

Messrs. Petty, Dahl and Peterson, R.W. introduced—

S.F. No. 1834: A bill for an act relating to corporations; providing for the determination of eligibility for the indemnification of certain persons; prohibiting the modification in the bylaws of a certain provision relating to the voting power of shares; providing for cumulative voting for directors; providing a time limit on claims rejected by a corporation; amending Minnesota Statutes 1982, sections 302A.111, subdivisions 2 and 3; 302A.445, subdivision 3; and 302A.729, subdivision 1; Minnesota Statutes 1983 Supplement, sections 300.083, subdivision 6; and 302A.521, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Petty introduced—

S.F. No. 1835: A bill for an act relating to metropolitan government; allowing the mosquito control district to take certain actions; amending Minnesota Statutes 1982, section 473.704, subdivision 17.

Referred to the Committee on Local and Urban Government.

Mr. Petty introduced—

S.F. No. 1836: A bill for an act relating to public welfare; amending the reporting of maltreatment of minors act; clarifying the roles of law enforcement and local welfare agencies; clarifying language; amending Minnesota Statutes 1982, section 626.556, subdivision 11; amending Minnesota Statutes 1983 Supplement, section 626.556, subdivisions 1, 2, 4, and 10.

Referred to the Committee on Judiciary.

Messrs. Petty, Ulland, Freeman, Solon and Luther introduced—

S.F. No. 1837: A bill for an act relating to banks and banking; authorizing

interstate acquisition and formation of banks between this state and certain states on a reciprocal basis; proposing new law coded in Minnesota Statutes, chapter 48.

Referred to the Committee on Economic Development and Commerce.

Mr. Petty, Mrs. Lantry, Mr. Dicklich and Ms. Berglin introduced—

S.F. No. 1838: A bill for an act relating to public welfare; requiring county boards to provide services to mentally ill persons; specifying duties of the commissioner; authorizing rulemaking; proposing new law coded as Minnesota Statutes, chapter 253C.

Referred to the Committee on Health and Human Services.

Messrs. Dieterich and Peterson, D.L. introduced—

S.F. No. 1839: A bill for an act relating to public welfare; providing for the recoupment and set-off of overpayments in the general assistance program; extending the right of a welfare agency to reimbursement for medical assistance paid by other sources to a recipient of Minnesota supplemental aid; placing the primary reimbursement on the recipient; amending Minnesota Statutes 1982, section 256D.06, by adding a subdivision; Minnesota Statutes 1983 Supplement, section 256D.06, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Schmitz, Jude, Bertram and Frederick introduced—

S.F. No. 1840: A bill for an act relating to transportation; accelerating phased transfer of motor vehicle excise tax from general fund to highway user tax distribution fund and transit assistance fund; amending Minnesota Statutes 1983 Supplement, section 297B.09.

Referred to the Committee on Transportation.

Messrs. Merriam; Willet; Peterson, C.C.; Ulland and Dicklich introduced—

S.F. No. 1841: A bill for an act relating to natural resources; providing for peatland designation; creating peatland protection areas in the outdoor recreation system; providing for acquisition of certain peatlands from the bureau of land management; amending Minnesota Statutes 1982, sections 86A.04; 86A.05, by adding a subdivision; 86A.08, subdivision 1; and 86A.09, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 85.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lessard; Moe, R.D. and Peterson, C.C. introduced—

S.F. No. 1842: A bill for an act relating to local government; setting authority to regulate firearms and related matters; amending Minnesota Statutes 1982, sections 624.7132, subdivision 16; and 624.717; proposing new law coded in Minnesota Statutes, chapter 471; repealing Minnesota Statutes 1982, section 624.718.

Referred to the Committee on Local and Urban Government. Mr. Spear questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Freeman introduced—

S.F. No. 1843: A bill for an act relating to courts; providing for the appointment of chief judge and assistant chief judge for each judicial district; clarifying the administrative authority of the chief judge; amending Minnesota Statutes 1982, section 484.69, subdivisions 1 and 3.

Referred to the Committee on Judiciary.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 15, 1984. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate