

## ELEVENTH DAY

St. Paul, Minnesota, Thursday, February 7, 1985

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. James Patrick Needham.

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

Anderson	Dicklich	Kronbusch	Nelson	Spear
Belanger	Diessner	Laidig	Novak	Storm
Benson	Frederick	Langseth	Olson	Stumpf
Berg	Frederickson	Lantry	Pehler	Taylor
Berglin	Hughes	Lessard	Peterson, C.C.	Vega
Bertram	Johnson, D.E.	Luther	Peterson, D.L.	Waldorf
Brataas	Johnson, D.J.	McQuaid	Ramstad	Wegscheid
Chmielewski	Kamrath	Mehrkens	Reichgott	Willet
Dahl	Knaak	Merriam	Samuelson	
Davis	Knutson	Moe, D.M.	Schmitz	
DeCramer	Kroening	Moe, R.D.	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

Mrs. Adkins, Messrs. Frank, Freeman, Isackson, Jude, Ms. Peterson, D.C.; Messrs. Peterson, R.W.; Petty; Pogemiller; Purfeerst and Solon were excused from the Session of today.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 196: A bill for an act relating to crimes; reporting maltreatment of minors; defining "person responsible for the child's care"; providing for concise summaries of disposition of reports; making technical changes; prescribing penalties; amending Minnesota Statutes 1984, sections 388.051, subdivision 2; and 626.556, subdivisions 2, 3, 4, 5, 6, and 9.

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 1984, section 388.051, subdivision 2, is amended to read:

Subd. 2. [~~SPECIAL PROVISION; GROSS MISDEMEANORS PROVISIONS.~~] (a) In Anoka, Carver, Dakota, Hennépin, Scott, and Washington counties, only the county attorney shall prosecute gross misdemeanor violations of sections 290.53, subdivisions 4 and 8; 290.92, subdivision 15; 290A.11, subdivision 2; 297A.08; 297A.39, subdivisions 4 and 8; 297B.10; 609.255, subdivision 3; 609.377; 609.378; 609.41; and 617.247.

(b) *The county attorney shall prosecute failure to report physical or sexual child abuse or neglect as provided under section 626.556, subdivision 6.*

Sec. 2. Minnesota Statutes 1984, section 626.556, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC POLICY.] The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through physical abuse, neglect or sexual abuse; to strengthen the family and make the home, school, and community safe for children by promoting responsible child care in all settings; and to provide, when necessary, a safe temporary or permanent home environment for physically or sexually abused children.

In addition, it is the policy of this state to require the reporting of suspected neglect, physical or sexual abuse of children in the home, school, and community settings; to provide for the voluntary reporting of abuse or neglect of children; to require the assessment and investigation of the reports; and to provide protective and counseling services in appropriate cases.

Sec. 3. Minnesota Statutes 1984, section 626.556, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) “Sexual abuse” means the subjection by a person responsible for the child’s care, or by a person in a position of authority, as defined in section 609.341, subdivision 10, to any act which constitutes a violation of sections 609.342, 609.343, 609.344, or 609.345, or sections 609.364 to 609.3644. Sexual abuse also includes any act which involves a minor which constitutes a violation of sections 609.321 to 609.324 or 617.246.

(b) “Person responsible for the child’s care” means a (1) *an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, baby sitting whether paid or unpaid, counseling, teaching, and coaching.*

(c) “Neglect” means failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so or failure to protect a child from conditions or actions which imminently and seriously endanger the child’s physical or mental

health when reasonably able to do so. Nothing in this section shall be construed to (1) mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, or (2) impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter or medical care, a duty to provide that care.

(d) "Physical abuse" means: ~~(1)~~ any physical injury inflicted by a person responsible for the child's care on a child other than by accidental means; or ~~(2)~~ any physical injury that cannot reasonably be explained by the child's history of injuries. "Physical abuse" does not include conduct authorized by section 609.06, clause 6.

(e) "Report" means any report received by the local welfare agency, police department or county sheriff pursuant to this section.

(f) "Facility" means a day care facility, residential facility, agency, hospital, sanitorium, or other facility or institution required to be licensed pursuant to sections 144.50 to 144.58, 241.021, or 245.781 to 245.812.

(g) "Operator" means an operator or agency as defined in section 245.782.

(h) "Commissioner" means the commissioner of human services.

(i) "Assessment" includes authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing the risk to the child, and formulating a plan.

Sec. 4. Minnesota Statutes 1984, section 626.556, subdivision 3, is amended to read:

Subd. 3. [PERSONS MANDATED TO REPORT.] (a) A professional or his delegate who is engaged in the practice 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 knows or has reason to believe~~ a child is being neglected or physically or sexually abused shall immediately report the information to the local welfare agency, police department or the county sheriff. The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency. The local welfare agency, upon receiving a report, shall immediately notify the local police department or the county sheriff. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school or agency.

(b) Any person ~~not required to report under the provisions of this subdivision~~ may voluntarily report to the local welfare agency, police department or the county sheriff if he ~~has knowledge of or reasonable cause to believe knows, has reason to believe, or suspects~~ a child is being neglected or subjected to physical or sexual abuse. The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency.

(c) A person mandated to report ~~suspected~~ physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing the facility. A health or corrections agency

receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b.

(d) Any person who makes a mandated report shall, upon request to the local welfare agency, receive a concise summary of the disposition of the any report made by that reporter, unless release would be detrimental to the best interests of the child. Any person who is not mandated to report shall, upon request to the local welfare agency, receive a concise summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.

Sec. 5. Minnesota Statutes 1984, section 626.556, subdivision 4, is amended to read:

Subd. 4. [IMMUNITY FROM LIABILITY.] (a) The following persons are immune from any civil or criminal liability that otherwise might result from their actions if they are acting in good faith:

(a) (1) Any person, including those voluntarily making reports and those required to make reports under subdivision 3, participating in good faith and exercising due care in the making of a voluntary or mandated report under subdivision 3 or assisting in an assessment pursuant to under this section has immunity from any liability, civil or criminal, that otherwise might result by reason of his action;

(b) (2) A supervisor or social worker employed by a local welfare agency, who in good faith exercises due care when complying with subdivisions 10 and 11 or any related rule or provision of law, shall have immunity from any civil liability that otherwise might result by reason of his action; and

(3) Any public or private school, facility as defined in subdivision 2, or the employee of any public or private school or facility who permits access by a local welfare agency or local law enforcement agency and assists in good faith in an investigation or assessment pursuant to subdivision 10 has immunity from any liability, civil or criminal, that otherwise might result by reason of that action.

(b) This subdivision does not provide immunity to any person for failure to make a required report or for committing neglect, physical abuse, or sexual abuse of a child.

Sec. 6. Minnesota Statutes 1984, section 626.556, subdivision 4a, is amended to read:

Subd. 4a. [RETALIATION PROHIBITED.] (a) An employer of any person required to make reports under subdivision 3 shall not retaliate against the person for reporting in good faith suspected abuse or neglect pursuant to this section, or against a child with respect to whom a report is made, because of the report.

(b) The employer of any person required to report under subdivision 3 who retaliates against the person because of a report of suspected abuse or neglect is liable to that person for actual damages and, in addition, a penalty up to \$1,000.

(c) There shall be a rebuttable presumption that any adverse action within 90 days of a report is retaliatory. For purposes of this paragraph, the term

"adverse action" refers to action taken by an employer of a person required to report under subdivision 3 which is involved in a report against the person making the report or the child with respect to whom the report was made because of the report, and includes, but is not limited to:

- (1) discharge, suspension, termination, or transfer from the facility, institution, school, or agency;
- (2) discharge from or termination of employment;
- (3) demotion or reduction in remuneration for services; or
- (4) restriction or prohibition of access to the facility, institution, school, agency, or persons affiliated with it.

Sec. 7. Minnesota Statutes 1984, section 626.556, subdivision 5, is amended to read:

Subd. 5. [FALSIFIED REPORTS.] Any person who ~~willfully~~ knowingly 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.

Sec. 8. Minnesota Statutes 1984, section 626.556, subdivision 6, is amended to read:

Subd. 6. [FAILURE TO REPORT.] ~~Any~~ A person ~~required~~ mandated by this section to report ~~suspected physical or sexual child abuse or neglect who willfully fails to do so shall be~~ who knows or has reason to believe that a child is neglected or physically or sexually abused, as defined in subdivision 2, and fails to report is guilty of a misdemeanor.

Sec. 9. Minnesota Statutes 1984, section 626.556, subdivision 9, is amended to read:

Subd. 9. [MANDATORY REPORTING TO A MEDICAL EXAMINER OR CORONER.] When a person required to report under the provisions of subdivision 3 ~~has reasonable cause to believe~~ knows or has reason 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 instead of the local welfare agency, police department or county sheriff. Medical examiners or coroners shall notify the local welfare agency or police department or county sheriff 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 police department or county sheriff and the local welfare agency."

Delete the title and insert:

"A bill for an act relating to crimes; requiring the county attorney to prosecute failure to report child abuse or neglect; providing for the reporting of child abuse or neglect; defining certain terms; clarifying immunity from liability for reporting child abuse or neglect; providing for concise summaries of disposition of reports; making technical changes; prescribing penalties; amending Minnesota Statutes 1984, sections 388.051, subdivision 2; and 626.556, subdivisions 1, 2, 3, 4, 4a, 5, 6, and 9."

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

adopted.

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 69: A bill for an act relating to transportation; redesignating portion of trunk highway; amending Minnesota Statutes 1984, section 161.14, subdivision 6.

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 1984, section 161.14, subdivision 6, is amended to read:

Subd. 6. [*VETERANS’ EVERGREEN MEMORIAL DRIVE.*] That portion of road No. 185, known as trunk highway No. 23 in St. Louis, Pine and Carlton Counties, is hereby named and designated “*Veterans’ Evergreen Memorial Drive*” in memory of ~~World War~~ veterans of ~~St. Louis, Pine and Carlton counties~~ the state of Minnesota. *The commissioner of transportation shall adopt and place suitable marking signs on the highway to adequately mark the route as the “Veterans’ Evergreen Memorial Drive.”*

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

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 93: A bill for an act relating to veterans; authorizing certain American Legion officers and employees to elect state employee benefit coverage at their own expense; amending Minnesota Statutes 1984, section 43A.27, subdivision 2.

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

Page 1, line 25, delete “*Legion*” and insert “*legion and its auxiliary*”

Page 1, line 25, before the semicolon, insert “*and its auxiliary*”

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. 252: A bill for an act relating to corporations; providing for the shareholder vote required to amend articles of incorporation in certain cases; amending Minnesota Statutes 1984, section 302A.135, subdivision 4.

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. 148: A bill for an act relating to trusts; eliminating the requirement

of qualifying trustees in certain cases; amending Minnesota Statutes 1984, section 524.3-913.

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

Page 1, line 18, after "is" insert "*expressly requested by will or*"

Page 2, after line 3, insert:

"Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective August 1, 1985, and applies to wills executed or amended on or after the effective date."*

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. 46: A bill for an act relating to commerce; changing a cross reference relating to undistributed property after dissolution of a cooperative; amending Minnesota Statutes 1984, section 308.14, subdivision 3b.

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

Page 1, line 20, before "Section" insert "*Notwithstanding section 645.21,*"

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

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

S.F. No. 263: A bill for an act relating to agriculture; providing for interest payments to certain lenders; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 41C.

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

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.]

*Sections 2 to 7 may be cited as the "agricultural credit initiative act."*

Sec. 2. [DEFINITIONS.]

*Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 2 to 7.*

*Subd. 2. [CLASSIFIED FARM LOAN.] "Classified farm loan" means a farm loan that the bank determines to have a substantial risk of nonpayment, so that the bank is likely to sustain some loss if the borrower's paying capacity, net worth, or collateral is not improved. The loan need not already have been classified by a bank examiner.*

*Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner*

of commerce.

*Subd. 4. [FARM ADVISOR.] "Farm advisor" means an extension agent, a farm advocate working under the department of agriculture, or an adult farm management instructor under the state board of vocational technical education.*

*Subd. 5. [FARMER.] "Farmer" means an individual or family farm corporation defined in section 500.24, that is a resident of the state engaged in the business of farming.*

*Subd. 6. [FARMERS HOME ADMINISTRATION.] "Farmers home administration" means the farmers home administration of the United States department of agriculture.*

*Subd. 7. [FARM LOAN.] "Farm loan" means a loan for operating expenses or the purchase of property for a farm business.*

*Subd. 8. [LENDER.] "Lender" means state and federal chartered banks and farm credit system lenders.*

### Sec. 3. [QUALIFICATION OF LENDERS.]

*To qualify for an interest reimbursement or interest payment under sections 4 to 6, a lender must first sign an agreement with the commissioner stating that the lender will suspend foreclosure on all farm loans held by the lender for 120 days after the agreement is signed. The commissioner shall enforce the 120-day farm loan foreclosure grace period.*

### Sec. 4. [INTEREST REIMBURSEMENT PROGRAM ON LOANS SUBMITTED TO FARMERS HOME ADMINISTRATION.]

*Subdivision 1. [COMMISSIONER PAYS INTEREST.] The commissioner shall pay the interest attributable to the first 60 days, of a 120-day foreclosure grace period, on the first \$25,000 of operating farm loans and the first \$25,000 of ownership farm loans of each borrower submitted by a lender that signs an agreement under section 3 to the farmers home administration for loan guarantees and debt restructuring.*

*Subd. 2. [INTEREST.] The interest to be paid is the amount that becomes attributable to the first 60-day period after the lender signs the agreement with the commissioner under section 3. The amount to be paid is determined by the loan agreement between the lender and the borrower.*

*Subd. 3. [CLASSIFIED FARM LOAN REVIEW.] During the first 60 days of the 120-day period after the agreement with the commissioner in section 3 is signed, the lender must review all classified farm loans and determine which farm loans the lender will submit to the farmers home administration for loan guarantees and debt restructuring.*

*Subd. 4. [LENDER-BORROWER AGREEMENT.] For each farm loan that the lender submits to the farmers home administration for loan guarantees and debt restructuring, the lender and the borrower of the farm loan must sign an agreement. The agreement must:*

*(1) state that the lender has agreed with the commissioner not to foreclose on any farm loans held by the lender for a 120-day period and specify the dates;*



(2) state that the commissioner will pay the interest attributable to the eligible portion of the farm loan submitted to the farmers home administration for the first 60 days of the 120-day foreclosure grace period if the lender qualifies for interest reimbursement;

(3) state that the borrower is not liable for interest paid by the commissioner;

(4) provide that if the lender qualifies for interest reimbursement the lender will assume responsibility for the interest attributable to the eligible portion of the farm loan submitted and the borrower is not liable for the interest except as provided in clause (5); and

(5) provide that if the borrower agrees to have the farm loan submitted and the farmers home administration guarantees the loan, the lender may add the interest attributable to the second 60 days of the foreclosure grace period to the principal of the borrower's farm loan.

**Subd. 5. [REIMBURSEMENT APPLICATION.]** The lender must apply to the commissioner for the 60-day interest reimbursement on a farm loan that is submitted to the farmers home administration. The lender must give the commissioner evidence of the farm loan submitted to the farmers home administration guaranteed loan program and application for the farmers home administration approved lenders program. A lender that complies with this section is qualified to receive reimbursement from the commissioner.

**Sec. 5. [INTEREST REDUCTION PROGRAM ON FARM OPERATING LOANS TO FARMERS.]**

**Subdivision 1. [ESTABLISHMENT.]** The commissioner shall establish and administer an interest reduction program until June 30, 1986. The program shall provide payments to lenders that make farm operating loans to farmers.

**Subd. 2. [PAYMENT AMOUNT.]** The commissioner shall pay lenders interest at a rate of 4-1/2 percent per year on the unpaid principal of the first \$50,000 of an approved farm operating loan made to each eligible farmer. The maximum interest payment per farmer may not exceed \$2,250.

**Subd. 3. [LOAN APPROVAL AND PAYMENT.]** (a) The commissioner shall prescribe the procedure, documents, and forms that must be submitted for farm operating loan approval.

(b) The lender must submit all approved farm operating loans made by the lender by December 31, 1985. The commissioner may not pay interest on loans submitted after December 31, 1985. The commissioner shall pay the interest as prescribed in subdivision 1 by March 1, 1986.

**Sec. 6. [FARM OPERATING LOAN.]**

**Subdivision 1. [APPLICATION PROCEDURE.]** A farmer with a debt to asset ratio greater than 50 percent, as determined by the lender, may apply to a lender for a farm operating loan as provided in this section. To apply, the farmer must have a farm management plan certified by a farm advisor.

**Subd. 2. [FARM MANAGEMENT PLAN.]** (a) A farmer must prepare a one-year farm management plan for the farmer's farm business. The farm management plan must:

(1) show the most efficient use of the farm business;

(2) show the type of crop to be planted on each tract of property;

(3) provide a breakdown of the amounts and types of each crop input needed, the cost of inputs, and the time when the inputs must be provided and paid for;

(4) show a feeding, raising, and marketing plan for any livestock in the farm business;

(5) provide a monthly cash flow analysis of the farm business with a farm operating loan at the lender's current interest rate and at an interest rate of seven percent per year, using commodity price information provided by the commissioner of agriculture.

(b) The farm advisor must certify that the farm management plan is correct, utilizes the best information available to the farm advisor, and provides for the most efficient use of the farm business.

(c) The commissioner of agriculture shall designate an available source of projected commodity price information or provide each farm advisor with the commodity price information to be used in the cash flow analysis.

*Subd. 3. [CASH FLOW ANALYSIS.]* If the farmer has a positive cash flow under the farm management plan at the lender's current rate of interest, the farmer may not obtain a loan under the interest reduction program.

*Subd. 4. [LOAN CRITERIA.]* (a) The farm operating loan must:

(1) be made to a farmer at an interest rate of seven percent per year;

(2) be due and payable within one year after it is made; and

(3) be for operating expenses of the farm business.

(b) The lender may use additional criteria to make a farm operating loan to a farmer.

#### Sec. 7. [FORMS AND GUIDELINES.]

Notwithstanding Minnesota Statutes, chapter 14, the commissioner shall adopt and provide guidelines to administer sections 3 to 6 and the form to be submitted by a lender under section 4. The form constitutes an application form for interest reimbursement and an agreement to suspend foreclosure on all farm loans. The commissioner shall present a report to the senate agriculture and natural resources committee and the house of representatives agriculture committee containing the guidelines, when adopted.

#### Sec. 8. [APPROPRIATION.]

\$25,050,000 is appropriated from the general fund to the commissioner of commerce.

For reimbursement of interest on farm loans under section 4, to be available until June 30, 1985

\$ 9,200,000

For paying interest to lenders under the interest reduction program to be available until June 30, 1986 under section 5

15,800,000

For administration of sections 3 to 6

50,000

Sec. 9. [REPEALER.]

*Section 4 is repealed effective July 1, 1985. Sections 5 and 6 are repealed effective July 1, 1986.*

Sec. 10. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to agriculture; requiring participating lenders to sign an agreement with the commissioner of commerce; providing a mechanism to aid restructuring of existing farm loans; creating an interest reimbursement program for participating lenders; creating an interest reduction program; providing interest payments to lenders that make interest reduction operating loans to farmers; appropriating money."

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 196, 69, 93, 252, 148 and 46 were read the second time.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

June 18, 1984

The Honorable Jerome M. Hughes,  
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Waste Control Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter E. Meintsma, 6709 - 46th Ave. N., Crystal, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Local and Urban Government.)

June 18, 1984

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

The following appointments to the World Trade Center Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Richard M. Nolan, 370 Selby Ave., St. Paul, Ramsey County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Bjorn Bjornstad, 5653 Woodcrest Dr., Edina, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Ronald M. Bosrock, 1814 Hillcrest, St. Paul, Ramsey County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Willis R. Eken, Twin Valley, Norman County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Martha R. Firling, 21 Don Avon St., Duluth, St. Louis County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Thomas A. Foster, 332 Westwood Dr., Golden Valley, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Pete R. Petrafeso, 2624 Joppa Ave. S., St. Louis Park, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Irving M. Stern, 1667 Virginia Ave. S., St. Louis Park, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

Paul Rexford Thatcher, 15 S. 1st St., Minneapolis, Hennepin County, has been appointed by me, effective June 23, 1984, for a term expiring the first Monday in January, 1987.

(Referred to the Committee on Economic Development and Commerce.)  
Mr. Storm questioned the reference thereon and, under Rule 54, the appointments were referred to the Committee on Rules and Administration.

January 2, 1985

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

The following appointment to the Tax Court is hereby respectfully submitted to the Senate for confirmation as required by law:

Jean Stepan, 895 Osceola Ave., St. Paul, Ramsey County, has been appointed by me, effective January 7, 1985, for a term expiring the first Monday in January, 1991.

(Referred to the Committee on Taxes and Tax Laws.)

January 28, 1985

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:

Eugene F. Trumble, 2025 Audubon Dr., Chaska, Carver County, has been appointed by me, effective January 28, 1985, for a term expiring the first Monday in January, 1989.

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

January 29, 1985

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

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

J. Mark Wedel, Box 284, Aitkin, Aitkin County, has been appointed by me, effective January 28, 1985, for a term expiring the first Monday in January, 1989.

(Referred to the Committee on Energy and Housing.)

January 31, 1985

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

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

Caryl Edward Buchwald, Rt. 4, Box 164, Northfield, Rice County, has been appointed by me, effective January 28, 1985, for a term expiring the first Monday in January, 1989.

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

Sincerely,  
Rudy Perpich, Governor

### MOTIONS AND RESOLUTIONS

Mr. Mehrkens moved that the name of Mr. Chmielewski be added as a co-author to S.F. No. 116. The motion prevailed.

Mr. Frederickson moved that the name of Mr. Diessner be added as a co-author to S.F. No. 238. The motion prevailed.

Mr. Petty moved that the name of Mr. Moe, R.D. be added as a co-author to S.F. No. 252. The motion prevailed.

Mr. Benson moved that the name of Mr. Wegscheid be added as a co-au-

thor to S.F. No. 259. The motion prevailed.

Mr. DeCramer moved that the names of Messrs. Moe, R.D.; Johnson, D.J.; Berg and Purfeerst be added as co-authors to S.F. No. 304. The motion prevailed.

Mr. Petty moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 314. The motion prevailed.

Mr. Samuelson moved that the name of Mrs. Brataas be stricken as a co-author to S.F. No. 318. The motion prevailed.

Mr. Samuelson moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 318. The motion prevailed.

Mr. Solon moved that the name of Mr. Frank be added as a co-author to S.F. No. 320. The motion prevailed.

Mr. Belanger moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 322. The motion prevailed.

Mr. Belanger moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 323. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Bertram be added as a co-author to S.F. No. 330. The motion prevailed.

Mr. Luther moved that the names of Messrs. Wegscheid; Stumpf; Peterson, C.C. and Solon be added as co-authors to S.F. No. 334. The motion prevailed.

Mr. Dicklich moved that S.F. No. 256 be withdrawn from the Committee on Governmental Operations and returned to its author. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 7: A Senate concurrent resolution declaring an economic emergency, declaring the need for Congressional hearings on the crisis, federal legislation, and the use of the powers of the state's executive branch.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 7 be laid on the table. The motion prevailed.

### CALENDAR

S.F. No. 100: A bill for an act relating to taxation; income; adopting federal changes relating to interest on mortgage subsidy bonds; amending Minnesota Statutes 1984, section 290.01, subdivision 20.

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 45 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Diessner	Kroening	Moe, D. M.	Schmitz
Belanger	Frederick	Kronebusch	Moe, R. D.	Sieloff
Benson	Frederickson	Laidig	Nelson	Spear
Berglin	Hughes	Langseth	Novak	Storm
Brataas	Johnson, D.E.	Lantry	Olson	Stumpf
Chmielewski	Johnson, D.J.	Lessard	Peterson, C.C.	Taylor
Dahl	Kamrath	Luther	Ramstad	Vega
DeCramer	Knaak	McQuaid	Reichgott	Waldorf
Dicklich	Knutson	Mehrkens	Samuelson	Willet

Those who voted in the negative were:

Berg	Davis	Merriam	Pehler	Wegscheid
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So the bill passed and its title was agreed to.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Purfeerst, DeCramer, Renneke, Isackson and Bernhagen introduced—

S.F. No. 335: A bill for an act relating to animals; changing certain duties and powers of the board of animal health; increasing certain penalties; amending Minnesota Statutes 1984, sections 35.03; 35.05; and 35.069.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Peterson, C.C.; Johnson, D.J.; DeCramer; Stumpf and Berg introduced—

S.F. No. 336: A bill for an act relating to taxation; estate; reducing the tax to the amount of the federal credit for state death taxes; amending Minnesota Statutes 1984, sections 290.01, subdivision 20e; 291.005, subdivision 1; 291.03, subdivision 1; 291.075; 291.09, subdivisions 1a, 2a, 3a, and 5; 291.11, subdivision 1; 291.15, subdivision 3; 291.215, subdivision 1; and 524.3-1202; repealing Minnesota Statutes 1984, sections 55.10, subdivision 2; 270.75, subdivision 7; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.111; 291.131, subdivision 5; 291.132; 291.20; 291.29, subdivision 5; and 385.36.

Referred to the Committee on Taxes and Tax Laws.

Mr. Waldorf, Mrs. Lantry, Ms. Berglin, Messrs. Samuelson and Benson introduced—

S.F. No. 337: A bill for an act relating to medical assistance; providing a rate exemption for intermediate care facilities for the mentally retarded; amending Minnesota Statutes 1984, section 256B.501, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Davis, Pehler, Frederickson, Berg and Hughes introduced—

S.F. No. 338: A bill for an act relating to agriculture; appropriating money

for the agricultural extension service of the University of Minnesota.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dicklich and Benson introduced—

S.F. No. 339: A bill for an act relating to human services; establishing a program in the department of economic security to distribute grants to centers that provide independent living services; appropriating money; amending Minnesota Statutes 1984, section 129A.01; proposing coding for new law in Minnesota Statutes, chapter 129A.

Referred to the Committee on Health and Human Services.

Messrs. Belanger, Anderson and Mehrkens introduced—

S.F. No. 340: A bill for an act relating to taxation; income; reducing rates for individuals, estates, and trusts; amending Minnesota Statutes 1984, section 290.06, subdivision 2c.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Wegscheid, DeCramer, Isackson, Frederickson and Purfeerst introduced—

S.F. No. 341: A bill for an act relating to occupations and professions; concerning the practice of veterinary medicine; allowing foreign veterinary graduates to be admitted to practice under certain conditions; amending Minnesota Statutes 1984, sections 156.001; 156.02, subdivision 1; 156.081, subdivision 2; and 156.12, subdivision 2; repealing Minnesota Statutes 1984, section 156.09.

Referred to the Committee on Health and Human Services.

Mrs. Lantry, Messrs. Frank, Kroening and Mrs. McQuaid introduced—

S.F. No. 342: A bill for an act relating to occupations and professions; requiring that plumbing inspectors hold licenses as master or journeyman plumbers; amending Minnesota Statutes 1984, section 326.37.

Referred to the Committee on Employment.

Messrs. Wegscheid and Lessard introduced—

S.F. No. 343: A bill for an act relating to game and fish; prohibiting harassment of hunters and anglers; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 97.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lessard introduced—

S.F. No. 344: A bill for an act relating to local governments; authorizing political subdivisions to enter into certain joint insurance arrangements; amending Minnesota Statutes 1984, section 471.61, subdivision 1.

Referred to the Committee on Local and Urban Government.



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

S.F. No. 345: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; allowing the legislature to authorize lotteries operated by the state with net revenues dedicated to enhancement of natural resources and lotteries operated by nonprofit organizations for charitable purposes.

Referred to the Committee on Veterans and General Legislation.

Messrs. Anderson, Mehrkens, Kamrath, Isackson and Belanger introduced—

S.F. No. 346: A bill for an act relating to economic development; providing limits on state and other public costs for the development of convention facilities.

Referred to the Committee on Economic Development and Commerce.

Mr. Benson introduced—

S.F. No. 347: A bill for an act relating to courts; providing for the election of judges appointed to office and judges who have previously been elected to full terms of office; amending Minnesota Statutes 1984, sections 204B.06, subdivision 6, and by adding a subdivision; 204B.34, subdivision 3; 204B.36, subdivisions 4 and 5; 204C.40, by adding a subdivision; and 204D.08, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Ramstad introduced—

S.F. No. 348: A bill for an act relating to crimes; imposing criminal liability on persons who cause the death of another by permitting an animal, known to have caused prior bodily harm, to be unconfined or improperly confined; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Messrs. Knutson, Vega and Wegscheid introduced—

S.F. No. 349: A bill for an act relating to eminent domain; mandating disclosure of certain relationships; providing means for objecting to commissioners; requiring commissioners to take an oath; amending Minnesota Statutes 1984, section 117.075.

Referred to the Committee on Judiciary.

Mr. Dicklich introduced—

S.F. No. 350: A bill for an act relating to retirement; changing the method for computing benefits for members of the Buhl police relief association; amending Laws 1984, chapter 574, section 18.

Referred to the Committee on Governmental Operations.

Mr. Jude introduced—

S.F. No. 351: A bill for an act relating to public safety; limiting regulation

of hand-held candles in religious and civil ceremonies; proposing coding for new law in Minnesota Statutes, chapter 299F.

Referred to the Committee on Veterans and General Legislation.

Messrs. Freeman, Purfeerst, Anderson, Sieloff and Novak introduced—

S.F. No. 352: A bill for an act relating to taxation; providing for an annual compressed natural gas user permit; establishing compressed natural gas user permit fees in lieu of gas taxes; amending Minnesota Statutes 1984, sections 296.01, by adding a subdivision; 296.02, subdivision 1a; and 296.025, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 296.

Referred to the Committee on Transportation. Mr. Vega questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Purfeerst and Solon introduced—

S.F. No. 353: A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1984, section 340.14, subdivision 5.

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

Messrs. Isackson, Bernhagen, Frederickson, Anderson and Laidig introduced—

S.F. No. 354: A bill for an act relating to agriculture; establishing an emergency farm operating loans program; providing penalties; appropriating money; amending Minnesota Statutes 1984, section 16A.15, subdivision 6; and proposing coding for new law in Minnesota Statutes, chapter 116M.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Willet introduced—

S.F. No. 355: A bill for an act relating to Beltrami county; providing for disposition of the proceeds from the sale or rental of tax-forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural, and industrial developments; amending Laws 1967, chapter 558, section 1, subdivision 5, as amended.

Referred to the Committee on Local and Urban Government.

Mr. Chmielewski introduced—

S.F. No. 356: A bill for an act relating to education; providing for an alcohol fuel pilot project; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 357: A bill for an act relating to Pine county; permitting the county

to participate separately in the community health services system.

Referred to the Committee on Local and Urban Government.

Mr. Pogemiller introduced—

S.F. No. 358: A bill for an act relating to public finance; providing for allocation of 1984 state private activity bond issuance authority; proposing coding for new law in Minnesota Statutes, chapter 474.

Referred to the Committee on Economic Development and Commerce.

Messrs. Dieterich, Hughes, Knaak and Novak introduced—

S.F. No. 359: A bill for an act relating to the city of Roseville; authorizing the city council to set off-sale intoxicating liquor license fees.

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

Messrs. Dieterich, Hughes, Knaak and Novak introduced—

S.F. No. 360: A bill for an act relating to the city of Roseville; increasing the total number of on-sale liquor licenses.

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

Mr. Chmielewski introduced—

S.F. No. 361: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to lease peat lands for wild rice farming; providing for appraisal and administration of leases; proposing coding for new law in Minnesota Statutes, chapter 92.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bertram, Chmielewski, Peterson, D.L.; Johnson, D.E. and Hughes introduced—

S.F. No. 362: A bill for an act relating to elections; delaying the applicability of certain handicapped accessibility provisions to towns; changing voting hours in towns; amending Minnesota Statutes 1984, sections 204B.16, by adding a subdivision; 204C.04; and 204C.05, subdivision 1.

Referred to the Committee on Elections and Ethics.

Mr. Pogemiller introduced—

S.F. No. 363: A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article V, sections 1, 3, and 4; article VIII, section 2; and article XI, sections 7 and 8; eliminating the office of state treasurer; giving the treasurer's powers and duties to another officer provided by law.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid, Johnson, D.E. and Peterson, R.W. introduced—

S.F. No. 364: A bill for an act relating to health; expanding the purposes of

health care review organizations; amending Minnesota Statutes 1984, section 145.61, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Hughes; Chmielewski; Bertram; Johnson, D.E. and Frederick introduced—

S.F. No. 365: A bill for an act relating to elections; qualifying certain persons to be election judges; amending Minnesota Statutes 1984, section 204B.19, subdivision 2.

Referred to the Committee on Elections and Ethics.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, February 11, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate