

17, January 9

P248

# Briefly

## The Minnesota Senate Week in Review

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January 9, 1987

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Tax reform, education, search top list

### Minnesota Senate convenes

Lieutenant Governor Marlene Johnson called the Minnesota Senate to order Tuesday, January 6, at 12:00 noon to begin the 75th Legislative Session.

After the traditional opening prayer, each of the senators presented their certificate of election and took the oath of office. The oath was administered by Supreme Court Chief Justice Douglas Amdahl. Ten freshmen members were among the 67 senators taking office.

Sen. Jerome Hughes (DFL-Maplewood) was reelected president of the Senate. The first resolution passed was the nomination and election of Senate Majority Leader Roger D. Moe (DFL-Erskine). Sen. Duane Benson (IR-Lanesboro) was then elected Senate Minority Leader.

Moe nominated Patrick Flahaven as Secretary of the Senate. After his election and swearing in, Flahaven asked for nominations for the remaining officers of the Senate. Those elected were: First Assistant Secretary of the Senate Janine Mattson; Second Assistant of the Senate Patrice Dworak; Engrossing Secretary of the Senate Cathy Morrison; Sergeant at Arms Sven Lindquist; Assistant Sergeant at Arms Ralph Graham; and Senate Chaplin Phillip Weiler.

Resolutions adopted by the Rules and Administration Committee were then approved by the Senate — two of those resolutions named committees to notify Governor Perpich and the House of Representatives that the Senate was organized. A third named a committee to escort the governor to the State of the State address.

### Rules committee adopts resolutions

Opening resolutions were adopted by the Rules and Administration Committee during the first committee meeting of the session Tuesday, January 6.

The committee approved a resolution naming Senator Roger D. Moe (DFL-Erskine) Senate Majority Leader and Senator Duane Benson (IR-Lanesboro) the Minority Leader.

The committee also adopted standing committee assignments and schedules, temporary rules of operation, and temporary joint rules with the House of Representatives. In addition, resolutions pertaining to expense payments to senators who attend meetings and seminars, parking regulations and postage allotments gained the panel's endorsement.

Finally, committee members approved the appointment of Reverend Phillip Weiler as Senate Chaplain and the appointment of various Senators to honorary committees formed to notify the House of Representatives and the governor that the Senate is organized. Five senators were also named to escort the governor to the House Chambers for the governor's state of the state address.

A second meeting of the Rules and Administration Committee was held Thursday, January 9, in order to set per diem and mileage and housing allowances. In an effort to hold the line on expenses, panel members approved a motion that sets per diem payments at the 1986 session level of \$36.00 per day. In addition, the senators voted to reduce their mileage allowance from last session's 26 cents per mile to the interim level of 21 cents per mile. The lodging allowance was set at \$300 per month. Finally, committee members approved a resolution naming staff for the 1987 Legislative Session.

Governor Rudy Perpich delivered his fourth State of the State address Wednesday, January 7, before a joint convention of the Minnesota Senate and House of Representatives. In his speech, Perpich outlined three priorities of his final term: tax reform, increased state efforts in education, and further investment in research and development.

"Our goal is to make Minnesota a model state, to make Minnesota the brainpower state, to make Minnesota a world renowned research center," Perpich said. "We must have a tax system that is competitive, honest, simple and fair, an education system that is committed to excellence, and a climate of research that will yield the products, ideas and jobs of the future," he added.

In the area of taxation, Perpich proposed a five-line short form and a long form consisting of only one page. Secondly, Perpich proposed a reduction in the state income tax rates by about one-half to eight percent and a six percent rate for lower income taxpayers. In addition, Perpich's plan proposes to eliminate any state tax liability for an additional 125,000 low income Minnesota families. In response to the federal tax reforms, Perpich promised to return the anticipated state windfall to the taxpayers of Minnesota.

Perpich also proposed to simplify the state's property tax system by calling for a reduction in the number of property tax classifications from 68 to 6. And, under the Perpich plan, the state would assume greater share of school costs, which are now paid for by property taxes. Perpich further promised to apply "fairness and thoughtfulness" to the corporate and sales tax systems, and he said his plan would exclude sales taxes on food, clothing, services and prescription drugs.

In education, the governor said the state should continue to support the university's focus on excellence and that it should strive to strengthen community colleges and AVTI's. Perpich also asked the 1987 Legislature to help increase Minnesota's post-secondary completion rate.

The governor's third area of emphasis is increased research and development. Perpich proposed the creation of a public-private corporation, titled the Greater Minnesota Corporation, that would work with state colleges and universities to promote, through research, business development and job creation.

The specifics of Perpich's plan will come before the Legislature, and both senators and representatives will have the opportunity to study its details. According to Perpich, the state of our state is sound, and the 1987 Legislature along with the governor have the responsibility of keeping Minnesota on course into the future.

### Service for hearing-impaired begins

The Minnesota Senate has initiated a new service for the hearing impaired. Located in Senate Index, the new TDD telecommunications service allows deaf persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the new service is (612) 296-0250.

## Horizons program scheduled

Three broad public policy issues will be the focus of attention next week as state legislators devote three mornings to a seminar entitled "Minnesota Horizons—Turning Point to the '90s." The program, to be held at the St. Paul Technical-Vocational Institute January 13-15, will cover the emerging trends that will shape Minnesota's public policy in the 1990's and beyond. The Horizons program will focus on three policy areas: the rural and urban economy; human needs and the human services system; and the state's tax and finance structures.

Speakers will discuss these three areas at the international, national and local levels in order to provide legislators with the background information necessary to make informed decisions throughout the legislative session. Because of the limited seating at the St. Paul Technical Vocational Institute, only legislators and invited guests may attend the program. However, the seminar will be carried live on KTCI - TV, Channel 17, in the metropolitan area. In addition, audio and video recordings of the proceedings will be made for later distribution. For further information contact Senate Media Services at 296-0264.

## Information Services

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate phone numbers, bill references numbers and status, and bill sponsorship. Interested citizens may also request, through this office, copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your legislator or have any other questions concerning the Minnesota Senate, call 296-0504. Senate staff members are available to answer general questions about the Senate and the legislative process.

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## Visiting

It is possible to arrange a personal visit with your legislator by calling his or her office and arranging a time with the secretary. Legislators keep busy schedules, so it is important to call in advance and arrange a time. You do not need to be a lobbyist to talk with your legislator. They welcome visits from their constituents.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, January 12, 1987

**Education**, Chair: James Pehler

8:30 AM Room 15, Capitol

**Agenda** Presentation by Commissioner Ruth Randall, Department of Education.

**Economic Development and Housing**, Chair: Don Frank

12:00 NOON Room 15, Capitol

**Agenda** Overview of metropolitan housing issues and the Metropolitan Housing and Redevelopment Authority. Overview of state housing finance issues and the Minnesota Housing Finance Agency.

The Senate will be in session at 2:00 PM.

### Tuesday, January 13, 1987

**Minnesota Horizons**

8:00 AM St. Paul Technical-Vocational Institute

**Health and Human Services**, Chair: Linda Berglin

1:00 PM Room 15, Capitol

**Agenda:** Commission on Poverty—Monte Bute, Member and Director of Jobs Now Coalition and Sam Horowitz, Chair, and Executive Director of the Joint Religious Legislative Committee, will give a

presentation and make recommendations to the Legislature. Co-Chairs Rev. Msgr. J. Jerome Boxleitner and Randy Johnson, Hennepin County Commissioner, will present recommendations to the Legislature. Commission on Welfare Reform—Steve Rhodes, Staff, Office of Full Productivity and Opportunity, will give an introduction and overview of the Commission.

### Wednesday, January 14, 1987

**Minnesota Horizons**

8:00 AM St. Paul Technical-Vocational Institute

**Elections and Ethics**, Chair: Jerome Hughes

12:00 NOON Room 107, Capitol

**Agenda:** "How Minnesota legislators view their Legislature" — Report of the Humphrey Institute survey of Minnesota Legislators who served from 1981 to 1986, presented by Dr. Royce Hanson, Associate Dean, Humphrey Institute and Charles Backstrom, Professor of Political Science.

### Thursday, January 15, 1987

**Minnesota Horizons**

8:00 AM St. Paul Technical-Vocational Institute

The Minnesota Senate will be in session at 3:00 PM

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE (15)

**CHAIRMAN:** Davis  
**OFFICE NO:** G-24  
**MEETS:** M, W; Room 112, 10-12 noon  
**MEMBERS:**  
 Anderson Brandl  
 Beckman Davis  
 Berg DeCramer  
 Bertram Frederickson, D.J.  
**VICE CHAIRMAN:** Frederickson, D.J.  
**TELEPHONE NO:** 296-7405  
 Frederickson, D.R. Renneke  
 Freeman Stumpf  
 Larson Vickerman  
 Morse

## GOVERNMENTAL OPERATIONS (11)

**CHAIRMAN:** Moe, D.M.  
**OFFICE NO:** 309  
**MEETS:** T, Th; Room 15; 8-10 a.m.  
**MEMBERS:**  
 Frederickson, D.J. Jude  
 Frederickson, D.R. Marty  
 Freeman Moe, D.M.  
 Pogemiller  
 Renneke  
 Taylor  
 Waldorf  
 Wegscheid

## COMMERCE (18)

**CHAIRMAN:** Solon  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 10-12 noon  
**MEMBERS:**  
 Adkins Frederick  
 Anderson Freeman  
 Belanger Kroening  
 Cohen Luther  
 Dahl McQuaid  
 Metzen  
 Peterson, D.C.  
 Purfeerst  
 Samuelson  
 Solon  
 Spear  
 Taylor  
 Wegscheid

## HEALTH AND HUMAN SERVICES (15)

**CHAIRMAN:** Berglin  
**OFFICE NO:** G-29  
**MEETS:** T, W, F; Room 15; 1-3 p.m.  
**MEMBERS:**  
 Adkins Brandl  
 Anderson Brataas  
 Benson Chmielewski  
 Berglin Diessner  
 Knutson  
 Lantry  
 Piper  
 Solon  
 Storm  
 Vickerman  
 Waldorf

## ECONOMIC DEVELOPMENT AND HOUSING (12)

**CHAIRMAN:** Frank  
**OFFICE NO:** G-10  
**MEETS:** M, Th; Room 15; 12-2  
**MEMBERS:**  
 Beckman Dahl  
 Bernhagen Dicklich  
 Cohen Frank  
 Gustafson  
 Knaak  
 Kroening  
 Morse  
 Reichgott  
 Stumpf  
 Storm

## JUDICIARY (17)

**CHAIRMAN:** Spear  
**OFFICE NO:** G-27  
**MEETS:** M, W, F; Room 15; 10-12 noon  
**MEMBERS:**  
 Belanger Laidig  
 Berglin Luther  
 Cohen Marty  
 Jude Merriam  
 Knaak Moe, D.M.  
 Peterson, D.C.  
 Peterson, R.W.  
 Pogemiller  
 Ramstad  
 Reichgott  
 Spear  
 Storm

## EDUCATION (21)

**CHAIRMAN:** Pehler  
**OFFICE NO:** G-9  
**MEETS:** M, W, F; Room 15; 8-10 a.m.  
**MEMBERS:**  
 Beckman Knaak  
 Dahl Knutson  
 DeCramer Langseth  
 Dicklich Larson  
 Frederickson, D.J. Mehrkens  
 Hughes Morse  
 Olson  
 Pehler  
 Peterson, D.C.  
 Peterson, R.W.  
 Pogemiller  
 Ramstad  
 Reichgott  
 Stumpf  
 Wedgscheid

## LOCAL AND URBAN GOVERNMENT (10)

**CHAIRMAN:** Schmitz  
**OFFICE NO:** 235  
**MEETS:** M, Th; Room 107; 12-2 p.m.  
**MEMBERS:**  
 Adkins McQuaid  
 Bertram Metzen  
 Frederickson, D.J. Olson  
 Renneke  
 Schmitz  
 Vickerman  
 Wegscheid

## EDUCATION AIDS (14)

**CHAIRMAN:** Peterson, R.W.  
**OFFICE NO:** G-9  
**MEETS:** M, Th; Room 15; 3-5 p.m.  
**MEMBERS:**  
 DeCramer Knutson  
 Dicklich Langseth  
 Hughes Mehrkens  
 Knaak Olson  
 Peterson, D.C.  
 Peterson, R.W.  
 Pogemiller  
 Pehler  
 Reichgott  
 Stumpf

## PUBLIC UTILITIES AND ENERGY (13)

**CHAIRMAN:** Dicklich  
**OFFICE NO:** 235  
**MEETS:** T, Th; Room 15; 10-12 noon  
**MEMBERS:**  
 Brandl Johnson, D.E.  
 Dicklich Johnson, D.J.  
 Frank Jude  
 Gustafson Marty  
 Novak  
 Olson  
 Piper  
 Storm  
 Waldorf

## ELECTIONS AND ETHICS (11)

**CHAIRMAN:** Hughes  
**OFFICE NO:** 328  
**MEETS:** W; Room 107; 11:30 a.m.-1 p.m.  
**MEMBERS:**  
 Hughes Laidig  
 Johnson, D.E. Luther  
 Johnson, D.J. McQuaid  
 Moe, R.D.  
 Morse  
 Peterson, D.C.  
 Samuelson  
 Willet

## RULES AND ADMINISTRATION (30)

**CHAIRMAN:** Moe, R.D.  
**OFFICE NO:** 208  
**MEETS:** On Call  
**MEMBERS:**  
 Belanger Frank  
 Benson Frederick  
 Berglin Hughes  
 Bernhagen Johnson, D.E.  
 Bertram Johnson, D.J.  
 Chmielewski Knutson  
 Davis Laidig  
 Dicklich Lessard  
 Luther  
 Merriam  
 Moe, D.M.  
 Moe, R.D.  
 Novak  
 Pehler  
 Peterson, R.W.  
 Purfeerst  
 Renneke  
 Schmitz  
 Solon  
 Spear  
 Taylor  
 Willet

## EMPLOYMENT (11)

**CHAIRMAN:** Chmielewski  
**OFFICE NO:** 325  
**MEETS:** T, Th; Room 107; 8-10 a.m.  
**MEMBERS:**  
 Adkins Chmielewski  
 Beckman Diessner  
 Brataas Frank  
 Gustafson  
 Kroening  
 Pehler  
 Piper  
 Ramstad

## TAXES AND TAX LAWS (26)

**CHAIRMAN:** Johnson, D.J.  
**OFFICE NO:** 205  
**MEETS:** T, W, F; Room 15; 3-5 p.m.  
**MEMBERS:**  
 Anderson Brandl  
 Belanger Chmielewski  
 Benson Cohen  
 Berg Diessner  
 Berglin Novak  
 Bernhagen Frank  
 Bertram Frederick  
 Gustafson  
 Johnson, D.J.  
 Jude  
 Laidig  
 Novak  
 Pehler  
 Peterson, D.C.  
 Peterson, R.W.  
 Pogemiller  
 Reichgott  
 Schmitz  
 Stumpf

## ENVIRONMENT AND NATURAL RESOURCES (18)

**CHAIRMAN:** Willet  
**OFFICE NO:** 111  
**MEETS:** T, W, F; Room 112; 1-3 p.m.  
**MEMBERS:**  
 Berg Knaak  
 Bernhagen Laidig  
 Dahl Larson  
 Davis Lessard  
 Frederickson, D.R. Marty  
 Merriam  
 Morse  
 Novak  
 Olson  
 Peterson, R.W.  
 Stumpf  
 Wegscheid  
 Willet

## FINANCE (28)

**CHAIRMAN:** Merriam  
**OFFICE NO:** 122  
**MEETS:** T, W, F; Room 123; 3-5 p.m.  
**MEMBERS:**  
 Brataas Johnson, D.E.  
 Dahl Knutson  
 DeCramer Kroening  
 Dicklich Langseth  
 Frederickson, D.R. Lantry  
 Freeman Lessard  
 Hughes Luther  
 Mehrkens  
 Merriam  
 Metzen  
 Moe, D.M.  
 Piper  
 Purfeerst  
 Ramstad  
 Renneke  
 Samuelson  
 Spear  
 Taylor  
 Waldorf  
 Willet

## TRANSPORTATION (12)

**CHAIRMAN:** Purfeerst  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 8-10 a.m.  
**MEMBERS:**  
 Bernhagen Langseth  
 DeCramer Lantry  
 Frederick McQuaid  
 Mehrkens  
 Metzen  
 Novak  
 Purfeerst  
 Schmitz  
 Vickerman

## VETERANS (9)

**CHAIRMAN:** Bertram  
**OFFICE NO:** 323  
**MEETS:** T, Th; Room 107; 10-12 noon  
**MEMBERS:**  
 Beckman Laidig  
 Bertram Langseth  
 Diessner Larson  
 Lessard  
 Mehrkens  
 Schmitz

## GENERAL LEGISLATION AND PUBLIC GAMING (10)

**CHAIRMAN:** Lessard  
**OFFICE NO:** 328  
**MEETS:** W, F; Room 107; 8-10 a.m.  
**MEMBERS:**  
 Berg Diessner  
 Bertram Frederickson, D.R. Lessard  
 Davis Johnson, D.E.  
 Lantry  
 Samuelson  
 McQuaid

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	109 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	133 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A.W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	147 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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# Briefly

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## Senate meets in floor sessions

The Senate met briefly on Monday, January 12, and received various reports and resolutions that had been filed.

Seventeen bills were introduced and referred to the appropriate committees.

Senate Majority Leader Roger Moe (DLF-Erskine) announced that the Minnesota Horizons "Turning Point to the '90's" would be held January 13, 14 and 15 at the St. Paul Vocational Technical Institute. During the seminars, legislators will hear from speakers on major public policy issues. Moe also announced that, in observance of Martin Luther King Day, the Senate will not convene on Monday, January 19 but will convene at noon on Tuesday, January 20.

Following passage of several motions and resolutions at the Thursday, January 15 floor session, Senate Minority Leader Duane Benson (IR-Lanesboro) announced that the IR caucus had invited Gen. James Sieben to make a presentation regarding the Minnesota National Guard's involvement in Central America. Andy Dawkins, representative to several groups opposed to the National Guard's presence in Central America was also invited to speak.

Moe asked the Senators to take a moment to honor the memory of the late Martin Luther King, calling him a "martyr in the civil rights cause."

## Airport site for committee tour

The Local and Urban Government Committee toured the Minneapolis-St. Paul International Airport Thur., Jan. 8, and heard from Metropolitan Airports Commission (MAC) Executive Director Jeffrey Hamiel. MAC operates a system of seven airports in the metro area.

Hamiel spoke to the Senators about several issues now facing the legislature and the airport commission.

Among the concerns are noise levels, air traffic, safety, planning and management. Hamiel said, "We are sensitive to and highly aware of our noise problems" and described some of the methods used to track and document noise levels. Other MAC officials, in general terms, spoke about possible ways to abate the noise.

Hamiel said MAC is proud that it will continue to operate without state tax dollars. "Our philosophy is, if you use it, you pay for it," he said. MAC operates on bonding project funds (40-45 per cent of total funds) and user fees and leases.

Sen. Robert Schmitz (DFL-Jordan), chair of the committee, sees the responsibility of the senators as "having to decide between an economic issue on one hand and a social and environmental issue on the other" in dealing with airport issues this session.

The tour highlighted the airports maintenance facilities, fire department, Federal Aviation Administration air traffic control facilities, and Northwest Airlines flight simulators.

Accompanying the Senators on the tour was Jody Hauer, Research Associate for the Citizens League, one of many citizen's groups focusing on airport issues. Hauer said the League will be conducting studies on several airport issues starting in late January.

## Panel hears poverty and welfare reports

The Commission on Poverty and the Commission on Welfare Reform, both established by Gov. Rudy Perpich last March, made their reports to members of the Health and Human Services Committee on Tues., Jan. 13.

The 33 member Commission on Poverty offered their conclusions that a lack of employment opportunities, along with the existence of many low-wage part-time jobs accounts for much of the problem. The Commission found that health insurance and child care are often out of reach for low income families.

Citing the approximately 450,000 Minnesotans who are estimated to be living in poverty, the report made the following recommendations: appropriate \$100 million for the Minnesota Employment and Economic Development (MEED) Jobs Program; appropriate \$25 million for sliding fee health coverage for uninsured working families with children; conform the Minnesota tax code to the 1986 federal tax reform bill; appropriate \$40 million for the Sliding Fee Child Care Program; and appropriate \$25 million for the Women, Infants and Children (WIC) supplemental nutrition program.

Twenty other recommendations were given, many of which did not involve appropriations of public funds.

Sam Horowitz, chair of the Poverty Commission and Executive Director of the Joint Legislative Committee, asked that the legislature seek to create self-sufficiency in the people who receive public assistance.

The Commission on Welfare Reform, composed of 10 members, asked the Senators to view Aid to Families With Dependant Children (AFDC) as a "transitional program." Rev. Msgr. J. Jerome Boxleitner, co-chair, said "This cannot be a way of life. The system is very demeaning" in reference to living with AFDC.

The commission's report targeted long-term users - those entering their third year on AFDC - as those who should be redirected to education, job training and job placement programs.

The report asserted that the AFDC system works as intended in providing temporary support for the majority of recipients who use the system for a period of two years or less, but that for long-term users, AFDC must become a transitional tool for reaching self-sufficiency.

## Committee hears from education officials

Representatives from the Minnesota Department of Education presented an overview of the functions and organizational process of the Minnesota Department of Education at the first Education Committee meeting of the session Mon., Jan. 12.

Ruth Randall, Commissioner of Education, reviewed the Department of Education's mission statement emphasizing the organization's commitment to leadership, service and regulation.

Deputy Commissioner Curman Gaines told panel members, chaired by Sen. James Pehler (DFL-St. Cloud), of the organizational process and services provided by the department. In addition to

elementary schools the department serves 1135 secondary schools, 39 secondary vocational cooperative centers, 23 special education schools, nine educational cooperative units and seven elementary and secondary vocational computer regions. A total of 697, 130 students in public schools and 90,000 students in non-public schools are served by the department, Gaines said.

Nan Skelton, Assistant Commissioner, Division of Development and Partnership Effectiveness, outlined the major goals of the division. Under the categories of Partnerships, Communities, Lifelong Instruction, New Strategies, and Equity, the division can more effectively identify and administer education programs and services to the community, students, and the education agencies. Some of the many issues the division deals with and that are pertinent to policymakers include suicide/depression, adolescent pregnancy, child abuse, dropouts, and literacy rates.

"Excellence in Minnesota can be achieved only if we have quality programs," said Assistant Commissioner of the Division of Instructional Effectiveness, Dwight Lindbloom. The Division of Instructional Effectiveness promotes the improvement of teaching standards, leadership functions in the community, and management support. Key components of the division are study and analysis of curriculum, program assessment and instruction.

A final presentation was given by Management Effectiveness Assistant Commissioner, Daniel Skoog. Functions of the division include development of analysis and research, school district organization, personnel licensing, management assistance, and educational data.

### Panel examines subsidized housing issues

Representatives from the Metropolitan Council and the Minnesota Housing Finance Agency spoke to Economic Development and Housing Committee members Mon., Jan. 12. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), heard first from recently appointed chairman of the Metropolitan Council Steve Keefe.

According to Keefe, the Council now serves 83 communities and has close to 40,000 subsidized housing units. Sixty percent of the housing units are located in the cities; 40 percent are in the suburbs. In comparison with early 1970 statistics, the Council has done very well and success can be attributed to cooperation from communities, individuals, and the government, he said.

However, Keefe said that subsidized housing for single parents and low-income elderly, an increasing homeless population and the effects of the tax reform are of immediate concern to the housing agencies. Ana Stern, Supervisor of Housing Planning at the Council, presented the committee with statistics outlining the need for improved programs. For instance, at a time when the demand for subsidized housing has increased, the Council has accepted no new housing applicants for over a year because their waiting list has exceeded 4000. The list is down to 2000 at this time but the Council does not expect to accept any new applicants for a year or two, Stern said.

Phil Katzung, Metro Housing and Redevelopment Authority (Metro HRA) Division Manager, explained that with the aid of federal funds for rent assistance and state funds for rehabilitation loans and grants, Metro HRA is able to provide low-income persons with affordable housing. He indicated that these Metro HRA programs make it possible for qualified renters to pay no more than 30 percent of the rent.

Jim Solem, Executive Director of the Minnesota Housing Finance Agency does not see the new tax laws effecting subsidized housing programs favorably. Instead, he sees the laws as having a deterring effect. According to Solem, the new tax laws will provide disincentives for private developers who invest in low-income housing properties. Additionally, with the restrictions on tax exempt financing and general restrictions on incentives for real estate development, the amount of subsidized housing development will decline, he said.

# Preview

## The Minnesota Senate Week at a Glance

Tuesday, January 20, 1987

**Transportation Committee**, Chair: Clarence Purfeerst  
8:00 AM Room 112 Capitol

**Agenda:** Brief overview by Regional Transit Board, Department of Public Safety, and Department of Transportation; S.F. 36-DeCramer: Motor vehicle excise tax transfer.

**Higher Education Subcommittee**, Chair: Gregory Dahl  
8:00 AM Room 123 Capitol

**Agenda:** Community College System, Chancellor Gerald Christianson. State University System, Chancellor Robert Carrothers.

**Health and Human Services Committee**, Chair: Linda Berglin  
8:45 AM to Noon in Room 15 Capitol and will be repeated again at 12:30 PM to 3:45 PM in Room 15 Capitol

**Agenda:** The NCSL Mental Health Project is presenting a technical assistance program. Consultants will present programs in other states that might be beneficial to Minnesota.

The Senate will be in session at 12:00 PM

**Environment and Natural Resources Committee**, Chair: Gerald Willet  
1:00 PM 112 Capitol

**Agenda:** P.C.A. Overview.

**Taxes and Tax Laws Income Tax Division**, Chair: Lawrence Pogemiller  
3:00 PM Room 112 Capitol

**Agenda:** Overview of State and Federal Income Tax Structures.

Wednesday, January 21, 1987

**General Legislation & Public Gaming Committee**, Chair: Bob Lessard  
8:00 AM Room 107 Capitol

**Agenda:** Overview of Charitable Gambling Board and Public testimony.

**Education Committee**, Chair: James Pehler  
8:30 AM Room 15 Capitol

**Agenda:** Presentations by: State Residential Schools, Board of Teaching, MN Education Association, MN Federation of Teachers, MN Association of School Administrators.

**Judiciary Committee**, Chair: Allan Spear  
10:00 AM Room 15 Capitol

**Agenda:** DWI overview - Steve Simon, professor, U of M Law School, and director, Criminal Justice DWI Task Force; Harold Peterson, Asst. Director, Driver and Vehicle Services Division, Public Safety Dept.; Forest Lowery, alcohol coordinator, Office of Traffic Safety, Public Safety Dept.; James Cleary, House Research.

**Taxes and Tax Laws Income Tax Division**, Chair: Lawrence Pogemiller  
3:00 PM Room 15 Capitol

**Agenda:** Overview of State and Federal Income Tax Structures.

Thursday, January 22, 1987

**Transportation Committee**, Chair: Clarence Purfeerst  
8:00 AM Room 112 Capitol

**Agenda:** S.F. 366-Novak: Minnesota Pipeline Safety Act.

**Economic Development and Housing Committee**, Chair: Don Frank  
12:30 PM Room 118 Capitol

**Agenda:** S.F. 1-Moe, R.D.: discussion of bill relating to economic development; rural development. Monica Manning, overview of MN Jobs Skills Partnership.

The Senate will be in session at 2:00 PM

**Education Aids Subcommittee**, Chair: Randolph Peterson 3:00 PM Room 123 Capitol

**Agenda:** Department of Education presentation on: Report on Fund Transfers; Report of Aid Appropriations Transfers; and Report on School District Financial Condition. Discussion of school district powers.

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE (15)

**CHAIRMAN:** Davis  
**OFFICE NO:** G-24  
**MEETS:** M, W; Room 112, 10-12 noon  
**MEMBERS:**  
 Anderson Brandl Frederickson, D.R. Renneke  
 Beckman Davis Freeman Stumpf  
 Berg DeCramer Larson Vickerman  
 Bertram Frederickson, D.J. Morse

## COMMERCE (18)

**CHAIRMAN:** Solon  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 10-12 noon  
**MEMBERS:**  
 Adkins Frederick Metzen Spear  
 Anderson Freeman Peterson, D.C. Taylor  
 Belanger Kroening Purfeerst Wegscheid  
 Cohen Luther Samuelson  
 Dahl McQuaid Solon

## ECONOMIC DEVELOPMENT AND HOUSING (12)

**CHAIRMAN:** Frank  
**OFFICE NO:** G-10  
**MEETS:** M, Th; Room 15; 12-2  
**MEMBERS:**  
 Beckman Dahl Gustafson Morse  
 Bernhagen Dicklich Knaak Reichgott  
 Cohen Frank Kroening Storm

## EDUCATION (21)

**CHAIRMAN:** Pehler  
**OFFICE NO:** G-9  
**MEETS:** M, W, F; Room 15; 8-10 a.m.  
**MEMBERS:**  
 Beckman Knaak Olson Reichgott  
 Dahl Knutson Pehler Stumpf  
 DeCramer Langseth Peterson, D.C. Wegscheid  
 Dicklich Larson Peterson, R.W.  
 Frederickson, D.J. Mehrkens Pogemiller  
 Hughes Morse Ramstad

## EDUCATION AIDS (14)

**CHAIRMAN:** Peterson, R.W.  
**OFFICE NO:** G-9  
**MEETS:** M, Th; Room 15; 3-5 p.m.  
**MEMBERS:**  
 DeCramer Knutson Peterson, D.C. Reichgott  
 Dicklich Langseth Peterson, R.W. Stumpf  
 Hughes Mehrkens Pogemiller  
 Knaak Olson Pehler

## ELECTIONS AND ETHICS (11)

**CHAIRMAN:** Hughes  
**OFFICE NO:** 328  
**MEETS:** W; Room 107; 11:30 a.m.-1 p.m.  
**MEMBERS:**  
 Hughes Laidig Moe, R.D. Samuelson  
 Johnson, D.E. Luther Morse Willet  
 Johnson, D.J. McQuaid Peterson, D.C.

## EMPLOYMENT (11)

**CHAIRMAN:** Chmielewski  
**OFFICE NO:** 325  
**MEETS:** T, Th; Room 107; 8-10 a.m.  
**MEMBERS:**  
 Adkins Chmielewski Gustafson Piper  
 Beckman Diessner Kroening Ramstad  
 Brataas Frank Pehler

## ENVIRONMENT AND NATURAL RESOURCES (18)

**CHAIRMAN:** Willet  
**OFFICE NO:** 111  
**MEETS:** T, W, F; Room 112; 1-3 p.m.  
**MEMBERS:**  
 Berg Knaak Merriam Stumpf  
 Bernhagen Laidig Morse Wegscheid  
 Dahl Larson Novak Willet  
 Davis Lessard Olson  
 Frederickson, D.R. Marty Peterson, R.W.

## FINANCE (28)

**CHAIRMAN:** Merriam  
**OFFICE NO:** 122  
**MEETS:** T, W, F; Room 123; 3-5 p.m.  
**MEMBERS:**  
 Brataas Johnson, D.E. Mehrkens Renneke  
 Dahl Knutson Merriam Samuelson  
 DeCramer Kroening Metzen Solon  
 Dicklich Langseth Moe, D.M. Spear  
 Frederickson, D.R. Lantry Piper Taylor  
 Freeman Lessard Purfeerst Waldorf  
 Hughes Luther Ramstad Willet

## GENERAL LEGISLATION AND PUBLIC GAMING (10)

**CHAIRMAN:** Lessard  
**OFFICE NO:** 328  
**MEETS:** W, F; Room 107; 8-10 a.m.  
**MEMBERS:**  
 Berg Diessner Lantry Samuelson  
 Bertram Frederickson, D.R. Lessard  
 Davis Johnson, D.E. McQuaid

## GOVERNMENTAL OPERATIONS (11)

**CHAIRMAN:** Moe, D.M.  
**OFFICE NO:** 309  
**MEETS:** T, Th; Room 15; 8-10 a.m.  
**MEMBERS:**  
 Frederickson, D.J. Jude Pogemiller Waldorf  
 Frederickson, D.R. Marty Renneke Wegscheid  
 Freeman Moe, D.M. Taylor

## HEALTH AND HUMAN SERVICES (15)

**CHAIRMAN:** Berglin  
**OFFICE NO:** G-29  
**MEETS:** T, W, F; Room 15; 1-3 p.m.  
**MEMBERS:**  
 Adkins Brandl Knutson Storm  
 Anderson Brataas Lantry Vickerman  
 Benson Chmielewski Piper Waldorf  
 Berglin Diessner Solon

## JUDICIARY (17)

**CHAIRMAN:** Spear  
**OFFICE NO:** G-27  
**MEETS:** M, W, F; Room 15; 10-12 noon  
**MEMBERS:**  
 Belanger Laidig Peterson, D.C. Spear  
 Berglin Luther Peterson, R.W. Storm  
 Cohen Marty Pogemiller  
 Jude Merriam Ramstad  
 Knaak Moe, D.M. Reichgott

## LOCAL AND URBAN GOVERNMENT (10)

**CHAIRMAN:** Schmitz  
**OFFICE NO:** 235  
**MEETS:** M, Th; Room 107; 12-2 p.m.  
**MEMBERS:**  
 Adkins McQuaid Renneke Wegscheid  
 Bertram Metzen Schmitz  
 Frederickson, D.J. Olson Vickerman

## PUBLIC UTILITIES AND ENERGY (13)

**CHAIRMAN:** Dicklich  
**OFFICE NO:** 235  
**MEETS:** T, Th; Room 15; 10-12 noon  
**MEMBERS:**  
 Brandl Johnson, D.E. Novak Waldorf  
 Dicklich Johnson, D.J. Olson  
 Frank Jude Piper  
 Gustafson Marty Storm

## RULES AND ADMINISTRATION (30)

**CHAIRMAN:** Moe, R.D.  
**OFFICE NO:** 208  
**MEETS:** On Call  
**MEMBERS:**  
 Belanger Frank Luther Renneke  
 Benson Frederick Merriam Schmitz  
 Berglin Hughes Moe, D.M. Solon  
 Bernhagen Johnson, D.E. Moe, R.D. Spear  
 Bertram Johnson, D.J. Novak Taylor  
 Chmielewski Knutson Pehler Willet  
 Davis Laidig Peterson, R.W.  
 Dicklich Lessard Purfeerst

## TAXES AND TAX LAWS (26)

**CHAIRMAN:** Johnson, D.J.  
**OFFICE NO:** 205  
**MEETS:** T, W, F; Room 15; 3-5 p.m.  
**MEMBERS:**  
 Anderson Brandl Gustafson Peterson, R.W.  
 Belanger Chmielewski Johnson, D.J. Pogemiller  
 Benson Cohen Jude Reichgott  
 Berg Davis Laidig Schmitz  
 Berglin Diessner Novak Stumpf  
 Bernhagen Frank Pehler  
 Bertram Frederick Peterson, D.C.

## TRANSPORTATION (12)

**CHAIRMAN:** Purfeerst  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 8-10 a.m.  
**MEMBERS:**  
 Bernhagen Langseth Mehrkens Purfeerst  
 DeCramer Lantry Metzen Schmitz  
 Frederick McQuaid Novak Vickerman

## VETERANS (9)

**CHAIRMAN:** Bertram  
**OFFICE NO:** 323  
**MEETS:** T, Th; Room 107; 10-12 noon  
**MEMBERS:**  
 Beckman Laidig Lessard  
 Bertram Langseth Mehrkens  
 Diessner Larson Schmitz

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	133 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A.W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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87, January 23

# Brief

ST. PAUL, MN. 55155

## The Minnesota Senate Week in Review

January 23, 1987

### Senate holds brief floor sessions

Senators met briefly Tuesday, January 20, and Thursday, January 22, to process bill introductions and the subsequent referrals to the appropriate committees.

Thirty-nine bill introductions received their first reading Tuesday, while an additional 29 proposals were introduced during the Thursday session.

Also this week, several Minnesota youth had the opportunity to experience the legislative process first hand, because of the YMCA's Youth in Government Program. The program was held Thursday, January 22, through Sunday, January 25.

### Constitutional amendment discussed

Calling for an "on-going effort to stabilize funding for our roads," Sen. Gary DeCramer (DFL-Ghent) explained S.F. 36 to Transportation Committee members Tuesday, January 20. The bill, if enacted into law, would allow Minnesota voters to constitutionally mandate motor vehicle excise tax proceeds to be used for highway and transit systems, effective January 1, 1989.

The committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault) approved an amendment to the bill setting the January 1, 1989 effective date but no further action was taken. The committee expects to consider the bill further in the up-coming weeks.

### Minnesota Pipeline Safety Act introduced

A bill designed to provide greater safety pipeline regulations in Minnesota was introduced at the Transportation Committee meeting Thursday, January 22. S.F. 90, authored by Sen. Steven Novak (DFL-New Brighton) was created in response to the tragic explosion of the William's pipeline in Moundsview, MN. July 8, 1986.

The bill provides for a variety of measures to induce pipeline safety. According to Novak, the goal of the bill is to upgrade Minnesota laws by "regulating pipeline safety systems to protect our citizens." Provisions of S.F. 90 include: creating a statewide notification center which excavators would call to determine the location of underground lines if an emergency occurred; requiring the creation of an Office of Pipeline Safety under the Department of Public Safety; providing the Environmental Quality Board the authority to designate routes for pipelines; requiring pipeline operators to file information about the location and operation of pipelines in the state; and requiring local governments to develop pipeline emergency response plans.

Paul Tschida, Commissioner of the Department of Public Safety explained to committee members the importance of establishing a statewide notification center. Tschida recommended the use of 911 in emergency situations and the creation of a toll free number which would reach state patrol units who would then notify government and state agencies about pipeline emergencies.

Jon Grunseth, Co-Chair of the Pipeline Commission, also discussed the importance of establishing a notification center.

According to Grunseth, the two deaths resulting in the William's explosion could possibly have been prevented if emergency measures had been established. Grunseth also recommended the establishment of inspector training programs and the need for inspectors to file periodic reports. "Many lines are not looked at for two to five years," he said.

Representatives from the Department of Energy and Economic Development, the State Planning Agency, the Environmental Quality Board, and the Fridley Fire Department also gave testimony in support of the bill, emphasizing the need to create a statewide notification center.

Transportation Committee members will not vote on the bill until additional testimony is presented.

### Hearings begin on Rural Development Act

The Economic Development Committee began hearings Thursday, January 22, on the proposed Rural Development Act. Sponsored by Senate Majority Leader Roger Moe, the measure provides economic development initiatives for Minnesota's rural areas.

The bill, S.F. 1, creates a "Rural Development Board" to coordinate rural development activities in the state and to provide technical services to organizations in rural areas. The board would be responsible for the "Challenge Grant Program," which establishes grant funds in six rural regions of the state. The funds, to be administered by nonprofit organizations, would be used to provide revolving loans and equity investments in new and expanding business in rural Minnesota. The board also would be responsible for Rural Rehabilitation Project grants to organizations in support of farm-related rural development projects.

The proposal also creates the "Minnesota Public Finance Authority" to assist state or local jurisdictions in the financing of infrastructure capital projects, including wastewater treatment systems. The authority would be able to sell revenue or general obligation bonds to assist in the financing.

Also under the proposal, a customized training program is established to support free training for new and expanding rural businesses. And, state supplemental education grants are provided to cover tuition for displaced rural workers enrolled in farm management programs or programs training people for employment at public post-secondary educational units.

Included in the bill is the creation of the governor's proposed "Greater Minnesota Corporation." The corporation is designed to foster economic growth through cooperative research, development and investment in new products and businesses. The corporation could make grants for applied research and development to any campus of the state's higher educational systems, provide loans to businesses for new products or processes, or acquire equity interests in a specific product or private businesses in enterprise zones or distressed counties.

The committee took no action on the bill, and it is scheduled for another hearing Thursday.

# Committee Capsule

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## Education

### Committees review post-secondary systems

The Higher Education Division of the Education Committee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Fri., Jan. 16. The committee heard from Director of the Higher Education Coordinating Board (H.E.C.B.) Dr. David Longanecker, and University of Minnesota President Dr. Kenneth Keller.

Longanecker presented the committee with a broad overview of the H.E.C.B.'s activities, emphasizing its mission of providing support and guidance to post secondary systems in Minnesota. Longanecker also discussed post secondary future trends. The H.E.C.B. has projected a 12 percent enrollment decline during the next decade. According to Longanecker, there will be a sharp decline of approximately 25,000 students between 1990-1996. Studies indicate the decline to occur in southwestern and northeastern parts of the state while enrollment will be sustained in the Twin Cities and central parts of the state, he said.

"We are a high tuition rate state," said Longanecker in response to Minnesota's rank of twenty-first in the nation on a per student funding basis. "You can be proud of what has evolved in Minnesota," he said, "but we still have a great deal to do."

University of Minnesota President Kenneth Keller, called for a pragmatic plan to improve the quality of education at the University of Minnesota, and presented the committee with his Commitment to Focus plan.

"We'll meet the state halfway," said Keller in addressing his request for an additional \$115.6 million dollars from the state over the next two years. By strengthening graduate programs, he said, and toughening undergraduate admission standards, more dollars per student will be allocated to graduate students as undergraduate enrollment will decline.

With the Commitment to Focus plan, the University hopes to rank third among Big 10 universities average per student funding rate. "Because we have so many students, the amount we spend per student is not very good," said Keller. At present, according to Keller, the University is ranked below average on a per student funding basis.

While the plan would call for 8,000 less undergraduate students, through natural attrition and tougher admission standards, Keller argues, "this is not a plan to turn students away." Keller believes the impact of Commitment to Focus will modify enrollment declines in other state education institutions and enhance the quality of education at the University of Minnesota.

Speaking to the subcommittee Tues., Jan. 20, were Chancellor Gerald Christenson of the Minnesota Community College System and Robert Carothers, Chancellor of the State University System.

The education administrators gave overviews of the evolution of each college system and outlined their system's goals for the future. Each said they plan to cooperate within the framework of Keller's Commitment to Focus strategies. Both of the educators said student enrollment is up, in some cases surprisingly so, on their college campuses and that non-traditional, part-time students now make up the majority of the student bodies.

### Education officials present overviews

The Education Committee met Wed., Jan. 21, to hear from representatives of the State Residential Schools, the Board of Teaching, the Minnesota Education Association (MEA), and the Minnesota Federation of Teachers (MFT). The representatives presented the committee, chaired by Sen. James Pehler (DFL-St. Cloud), with overviews of their organizations.

Wade Karli, Superintendent of the State Residential Schools, discussed the Residential Academy's commitment to providing deaf, blind and handicapped students with a high quality education and an environment geared toward developing leadership skills.

Board of Teaching Chairman Dale Rapp described the Board's efforts of providing the state with well qualified and professional

teachers. Board objectives for 1987 include providing improved teacher leadership education, developing processes to implement state policy for teacher preparation, and studying proposed modifications for licensing procedures.

"We're working on attitude change, on increasing productivity and on improving leadership programs," said MEA President Bob Astrup. The MEA, said Astrup, is designed to advocate improved economic conditions for teachers and high quality education in Minnesota.

Rose Hermodson of the Minnesota Federation of Teachers discussed the groups' efforts to study national trends among educators and educational institutions. Major concerns among the members of the MFT, she said, include obtaining adequate funding, enhancing the educator's professional development, concentrating on development and research of early childhood education, and meeting the non-academic needs of students.

## Education Aids

### Committee reviews formulas

The Education Aids Subcommittee, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Thurs., Jan. 15, to review the foundation aid concepts and formulas the committee will work with throughout the session.

The committee reviewed the concept of "equalization" in terms of why it is needed and how it works. Senate Researchers Joyce Krupcy and Joel Sutter explained the process and presented examples of how the formula is applied.

In addition, foundation aid terminology was reviewed and legislators and representatives of the public were given the opportunity to ask questions. Also discussed were foundation aid and levy provisions for the 1987-88 school year.

The committee met again on Fri., Jan. 16, to review additional education finance terminology and formulas. The committee examined the formulas that applied to the divisions of Special Education, Transportation, Community Education, Secondary Vocational aid, and Teacher Retirement aids.

## Environment and Natural Resources

### PCA director outlines issues

Tom Kalitowski, director of the Pollution Control Agency, highlighted several legislative issues Tues., Jan. 20, for members of the Environment and Natural Resources Committee. Those issues included securing additional state assistance in cleaning up mismanaged hazardous waste sites and stepping-up efforts in addressing Minnesota's water and air pollution problems.

According to Kalitowski, the PCA has identified 130 sites on its Superfund list of priorities. By the end of fiscal year 1986, the agency had begun cleanup activities at 73 sites, and private parties who were responsible for the mismanaged sites have contributed about \$100 million to those efforts. But more state assistance will be needed to keep the Superfund program going, Kalitowski said. In addition, agency officials anticipate the priority list of cleanup sites to double, as new categories of hazardous waste sites are added.

In addition to overseeing the state's hazardous and solid waste storage and disposal, the PCA is responsible for enhancing Minnesota's water and air quality. To improve the state's water outlook, the PCA has been active handling construction grants for the improvement and building of waste water treatment facilities. Funds for these grants are also dwindling, Kalitowski said, and additional dollars are needed. But the largest amount—nearly 75 percent—of water pollution is attributed to "nonpoint-source pollution," said Kalitowski. Many daily activities and land uses result in water pollution as nutrients, bacteria, toxic chemicals and other pollutants are carried from farm and urban areas into water sources.

# Committee Capsule

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This nonpoint-source pollution is best controlled through improved land management in both rural and urban areas, agency officials explained. PCA efforts to address this problem include public education, demonstration efforts, and policy assessments. However, PCA officials said stronger government and individual partnerships will help fight nonpoint-source pollution.

Other issues of concern to the PCA includes addressing the acid rain problem; developing a program to control air toxins; minimizing groundwater pollution caused by leakage of underground storage tanks; reducing lead contamination in the soil; cutting airport noise; and improving the management of solid and hazardous waste. Proposals to address these issues will come before the committee, chaired by Sen. Gerald Willet (DFL-Park Rapids).

## DNR goals pose new challenges

As Minnesota moves into the 1990's, the Dept. of Natural Resources management team will concentrate on improving its responsiveness and service to the public as well as its organizational efficiency, Commissioner Joe Alexander told members of the Environment and Natural Resources Committee. Alexander presented his department's goals and objectives for the coming years during the panel's second meeting of the session Wed., Jan. 21.

In the area of public responsiveness, the DNR has set a goal of being recognized for its commitment to high quality service, explained Alexander. The department will increase its public information and education efforts, and it will put more emphasis on listening and responding to public needs. The department will place an informational and educational director in each of its regional offices, Alexander said.

To advance productiveness and efficiency, the department will improve employee development, focus on management and organizational effectiveness, expand automation and upgrade equipment and facility management, Alexander said.

In addition to these two goals, the department will continue to enhance its resource management. Other goals of the department include diversifying the state's mineral industry; realizing the full potential of state forests; making its enforcement activities more accountable to the public; maintaining and enhancing the state's water, fish, wildlife and native plant resources; and increasing the use of outdoor recreational facilities.

## General Legislation and Public Gaming

### Gambling regulations under review

The General Legislation and Public Gaming Committee provided operators of charitable gambling the opportunity to voice their opinions Wed., Jan. 21, concerning Minnesota's charitable gambling regulations. Much of the discussion focused on whether the percentage of net profit from pull tabs that may be used to cover an organization's allowable expenses should be raised or maintained.

Under current law, net profits from pull tab receipts only may be used to pay the required state tax, to cover allowable expenses defined by law, and to be donated to charity. Once the tax has been paid, at least 60 percent of the remaining net profit must be given to charity. The remaining forty percent may be used to cover the allowable expenses incurred. According to some operators, this amount should be increased.

Paul Gabriel, speaking for a Legion Hall in Mahtomedi, said increasing the amount for allowable expenses from 40 to 50 percent would insure that pull tabs are operated in "an efficient, well controlled" manner. Gabriel said the increased allowance would allow some organizations to use their own pull tab sellers in the bars and other participating establishments.

While some called for the expense increase, other licensed operators said the current requirements cause no hardship. Jim Adams, representing the Minnesota Beverage Association, said that

the 60 percent required for charitable purposes provides a useful guideline in insuring that charities "get a fair share."

No action was taken on the issue; however, this gambling regulation and others will be reviewed this session by the committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls).

## Governmental Operations

### Members discuss committee goals

The Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), met briefly Thurs., Jan. 22, in order to discuss the items that will come before the panel this session and introduce committee staff to the new members of the committee.

In addition, Moe led a brief discussion on the committee's jurisdiction. "Generally, all matters relating to the organization and structure of state government, the powers and duties of government officials, and the pay and benefits of state employees fall within the jurisdiction of the committee," he said. In addition, the committee has jurisdiction over legislation concerning the State Board of Investment, the Dept. of Administration, public employee pensions, and the Dept. of Employee Relations. Finally, the panel shares jurisdiction over legislation affecting the legislature, the Administrative Procedure Act, local police and fire departments, public employee labor relations, metropolitan government and various other governmental administrative bodies. "The primary function of the committee is not to create programs but to see that programs created by other policy committees are carried out efficiently and effectively," Moe concluded.

Committee members also discussed some of the major topics that will come before the group during the session. Leading off will be a discussion of a bill designed to consolidate the offices of State Treasurer, State Auditor and Secretary of State into one office—that of State Comptroller. In addition, the panel will review several major public employee pension proposals, consider modifications in the Administrative Procedure Act, discuss flexible benefit plans for state employees, consider changes in compensation for elected and appointed officials, and set about the process of creating a new set of ethical controls for state government.

## Health and Human Services

### Mental health concerns aired

Members of the Health and Human Services Committee gathered Tues., Jan. 20, and devoted their committee time slot to presentations on mental health care systems as part of a larger overall conference on mental health issues presented as a technical assistance program by the National Conference of State Legislatures (NCSL). The mental health conference was held during the morning hours and then repeated in an afternoon session. The Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), served as a forum for presentation of the technical assistance program and for discussion of mental health issues by NCSL staff members, state agency officials and mental health experts from other states.

According to a project overview distributed at the meeting, the NCSL Mental Health Project is designed to improve the decision-making ability of state legislators on mental health policy by providing specific assistance to chosen states and disseminating information regarding mental health issues. During the three year program, the Mental Health Project will respond to specific issue and format needs of legislators. Minnesota is one of five states chosen to receive technical assistance on specific mental health issues. In Minnesota, the Project's charge is to aid in the development of a unified, accountable mental health system.

Michelle Kissell, NCSL Mental Health Project Research Analyst provided an introduction to the technical assistance program for Minnesota. Norma Schleppegrell, Chair of the Governor's Commission on Mental Health, spoke on the scope of mental illness. Commissioner Sandra Gardebring and Assistant

3:00 PM Room 15 Capitol

**Agenda:** Overview of Governor's Education budget presented by: Ron Hackett, Dept. of Finance; Gary Farland, Dept. of Education; and Dan Loritz, Governor's Office

## Friday, January 30, 1987

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F.35-Reichgott, Modifying the liability of Corporation directors.

**Finance Committee Education Division**, Chair: Gene Waldorf

10:00 AM Room 125 Capitol

**Agenda:** Review of reports due from H.E.C.B.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** Continuation of January 26, 1987 meeting; S.F. 89-Berg: Amending the farmer-lender mediation act.

**Health and Human Services Income Maintenance and Welfare**

**Reform Subcommittee**, Chair: Marilyn Lantry

1:00 PM Room 15 Capitol

**Agenda:** Presentations on the report of the Minnesota Commission on Welfare Reform.

## Visiting

It is possible to arrange a personal visit with your legislator by calling his or her office and arranging a time with the secretary. Legislators keep busy schedules, so it is important to call in advance and arrange a time. You do not need to be a lobbyist to talk with your legislator. They welcome visits from their constituents.

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## Information Services

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate phone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through this office, copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your legislator or have any other questions concerning the Minnesota Senate, call 296-0504. Senate staff members are available to answer general questions about the Senate and the legislative process.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

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87, January 30

# Briefly

The Minnesota Senate Week in Review

January 30, 1987

## Senate adopts MIA-POW resolution

When the Senate met in session Monday, January 26, members were reminded by Sen. Florian Chimelewski (DFL-Sturgeon Lake) that Tuesday, January 27, marks the 14th anniversary of the end of the United States' military involvement in Southeast Asia and the enactment of the Paris Peace Accord.

Chimelewski asked the Senators to move for adoption a resolution stating "that the governments of the United States and the Socialist Republic of Vietnam take all possible action to determine the fate of persons missing in action and/or held as prisoners of war in Asian nations." Chimelewski said the resolution would serve "as a message to America" that Minnesotans still support endeavors to reunite MIAs and POWs with their families.

The Senate gave final passage Thursday, January 29, to a resolution petitioning Congress to immediately adopt the "Save the Family Farm Act."

Sen. Charles Davis (DFL-Princeton), author of S.F. 95, said "Corrective action needs to be taken in our United States Congress" in dealing with the farm issue.

The federal bill would provide a minimum wage for food producers, he said.

"There are a variety of ways to deal with this farm crisis other than through this bill," said Sen. John Brandl (DFL-Mpls), who opposed the resolution. He said, if adopted, the bill would not only increase the price of food but also further hike U.S. farm prices in an already competitive international market.

## Zoo board legislation forthcoming

General Legislation and Public Gaming Committee Chairman Bob Lessard (DFL-Int'l. Falls) told panel members Tuesday, January 27, that he has introduced legislation requiring Senate approval of future zoo board appointees. The bill, to be heard next week, is in response to the recent controversy surrounding the appointment process, which the committee reviewed during their Tuesday meeting.

The governor rescinded the appointments to the zoo board January 16 because the board failed to follow procedures established in law. Those procedures require the board to form a nominating committee and to consult with the Dakota County Board on one appointment. Steve Loeding, who was Dakota County's representative on the zoo board, was not reappointed to another term, nor was the Dakota County Board consulted for a possible replacement.

Zoo board vice chair Pat Davies said their failure to follow the appointment process was unintentional. She explained that the board followed the "vacancy" appointment procedure, whereby board vacancies are filled by gubernatorial appointment and consultation with Dakota County Board is not required. However, Davies defended a zoo board proposal granting the board more independence in choosing members, claiming it would aid recruitment of qualified candidates.

Lessard acknowledged that his proposal is contrary to the board's desires, but he said Senate confirmation is necessary because taxpayers' dollars help finance the zoo. "We would like to look at some of these people who are going to be appointed . . . We would be remise in our duties if in fact we don't do this," he said.

The committee will continue to examine Lessard's proposal and the functions of the zoo board next week.

## Committee hears Governor's budget and tax plan

Highlights of Gov. Rudy Perpich's proposed 1987-88 budget and

tax reform plan include a 14 percent increase for education spending at all levels; conformity with the federal tax law on income, deductions and exemptions; raising corporate taxes for about 25,000 businesses; reducing the number of property tax categories from 68 to five; establishing a new state education credit to reduce school property taxes; eliminating the renter's credit program; combining ten property tax relief programs, including local government aid, homestead credit, and agricultural school credit into a single program; and providing additional funding to improve tax collection.

Department of Finance Commissioner Jay Kiedrowski, Department of Revenue Commissioner Tom Triplett, Assistant Revenue Commissioner John Haynes and Assistant Commissioner for Compliance John James gave the proposal presentation to the Tax Committee, chaired by Sen. Douglas Johnson (DFL-Cook), Tuesday, January 22.

Kiedrowski said the Governor's proposed budget would be a balanced one, even taking into account the \$800 million forecasted shortfall. Reductions from agency requests would total \$860 million in savings; tax reform and revenue increases would generate \$400 million; and positive year-to-date receipts would total \$100 million. He said the budget proposes the smallest increase in state spending in at least 22 years.

Triplett said under the governor's proposal, \$629 million could be raised in tax revenue from "businesses, institutions and people who haven't been paying their fair share." The plan calls for plugging current loopholes which contribute to an unstable fiscal system, he said.

Property tax categories would be reduced from 68 to 5 to help simplify the complex local and municipal taxing rules, according to Haynes. He said residential home owners would not experience a property tax hike but that commercial and vacation home property owners would see a tax increase on those properties under the Governor's proposal.

"Our main goal is to maximize voluntary compliance by taxpayers," said James. The Assistant Commissioner For Compliance said the proposal calls for \$90 million to further develop and begin operating the department's computerized collection system.

## Constitutional offices bill reviewed

A bill combining the constitutional offices of secretary of state, state treasurer and state auditor into one elected office of state comptroller was heard by the Governmental Operations Committee, Thursday, January 29. The measure, S.F. 81, sponsored by Sen. Lawrence Pogemiller, would require a constitutional amendment question to be placed on the ballot in 1988. Should voters approve, the state comptroller's office would begin January 1, 1991.

Pogemiller argued that the bill would promote efficiency and that the combination of offices more accurately reflects the evolution of state government. Sen. John Bernhagen (IR-Hutchinson) countered that the issue at hand "was an issue of the distribution of power, a policy issue that has not been tampered with for over a hundred years." Elaine Voss, of the secretary of state's office, testified against the measure on behalf of Secretary of State Joan Growe. State Treasurer Michael Magrath also spoke against the bill.

Committee chairman Donald Moe (DFL-St. Paul) announced that discussion on the bill would continue at the Thursday, February 5, committee meeting.

# Committee Capsule

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## Agriculture

### Farm bills approved

A bill which would petition Congress to adopt the "Save the Family Farm Act" also known as the Harkin Farm Bill was approved by the Agriculture Committee, with one dissenting vote, Mon., Jan. 26.

The proposed resolution, S.F. 95, states that the proposed legislation would "restore profitability to agriculture by paying farmers a fair price for their product, save taxpayers \$20 billion per year by eliminating all government subsidies, and will maintain export markets through the use of bonus bushels."

A similar resolution was approved by three states last year.

State Agriculture Commissioner Jim Nichols told committee members that Gov. Rudy Perpich is leading a delegation to Washington D.C. Feb. 5 to introduce the farm measure for the third time and asked Senators to join the lobbying effort. "We've got to start treating the disease and not the symptom or we're going to be sick forever," Nichols said.

Julie Bleyhl, Director of Legislative Services, Minnesota Farmers Union, also spoke in favor of S.F. 95.

Speaking in opposition to the bill, Vern Ingvalson of the Minnesota Farm Bureau called the legislation a "radical approach" to repealing the 1985 Farm Bill. Conceding that the present law "certainly has some problems," Ingvalson said nevertheless it's too early to call the law a failure in favor of the Harkin Bill. He added that the 1985 Farm Bill does provide income support for farmers and lowers interest rates. According to Ingvalson, the most important issue for farmers in the state is property tax relief.

Sen. Charles Davis (DFL-Princeton), chief author of the bill and chair of the committee, said "the rural crisis is certainly a federal problem" before he asked for approval of the bill.

The bill will be sent to the Senate floor.

The committee also approved S.F. 62, a bill sponsored by Sen. Charles Berg (DFL-Chokio), which would appropriate approximately \$13.8 million for the deficiency in the 1986 interest buy-down program.

The buy-down program was instituted last year to assist farmers in meeting their operating loan payments. Rochelle Bergin, Agricultural Credit Specialist with the Minnesota Department of Commerce, the agency which oversees the program, said there were over 6,400 applications for loan assistance by the Dec. 31 cut off date.

According to Attorney General Hubert H. Humphrey III, who spoke in support of S.F. 62, Minnesota's interest buy-down program is "a first [among states] which must be continued."

Sen. John Brandl (DFL-Mpls) supported the deficiency appropriation saying, "We put it out there and now we must honor it."

Two other bills were discussed briefly. S.F. 61, authored by Berg, appropriates approximately \$1.3 million for a deficiency in the farmer-lender mediation act, and S.F. 89, also authored by Berg, clarifies and amends the farmer-lender mediation act. The two bills will be taken up at the next committee meeting Fri., Jan. 30.

## Commerce

### Committee tours Commerce Department

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met for the first time this session at the Department of Commerce Thurs., Jan. 29.

Mike Hatch, Commissioner of the Department of Commerce, gave a brief overview presentation of how the Department is organized, introduced his staff, and gave a tour of their facilities in the Metro Square Building.

Hatch also gave a brief historical perspective of financial institutions and services, identified federal and state laws that effect the institutions, and discussed current problems within the system.

## Economic Development and Housing

### Committee hears Port Authority overview

Members of the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Mon., Jan. 26, to hear overview presentations from the St. Paul Port Authority and the Housing and Redevelopment Authorities.

Executive Vice President of the St. Paul Port Authority, Eugene Kraut presented panel members with a brief historical account of the Authority's activities since its beginning in 1932. Kraut described the agency's role of providing financial support to industrial and commercial development projects in the city of St. Paul. Kraut also explained the working relationship between the Port Authority and the city of St. Paul and examined interests such as the St. Paul Hotel. "We are very careful in assessing what projects to take on," said Kraut, "but we are also risk-takers."

"We are not planners," stated Kraut. "Our first responsibility is to the public and we think better cohesion and coordination will result if we work in accordance with the city of St. Paul." Kraut also stated that the organization believes it can work more effectively and prosperously if it retains an independent status with the city.

Bill Wilson from the St. Paul City Council also spoke to the committee commenting on the progress of the Port Authority. Wilson stated that the Port Authority is an independent entity of the city to "avoid mingling economic development projects with public interest."

Nancy Reeves, President of the Minnesota Chapter of National Housing and Redevelopment Officials explained to the committee the Housing and Redevelopment Authority's (HRA) goal of trying to meet housing and neighborhood needs for the economically disadvantaged. HRA's are primarily funded by the federal government but are controlled by the state government. Reeves asked legislators to consider the need of improving and maintaining housing programs. "Housing is never the top priority," she said, "our concern is that this country is not housing its people."

A final presentation was given by Jerry Boardman, an HRA Administrator from the city of Bloomington. Boardman briefly reviewed the Rent Assistance and Certificate programs the HRA provides to the economically disadvantaged.

## Education

### Committee hears education concerns

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met Mon., Jan. 26 to hear overview presentations from Minnesota education officials.

Emery Barrette from the Minnesota Association of School Administrators (MASA) briefed panel members on issues which are of legislative concern to the organization. Because of financial cutbacks in the early 1980s, Barrette stressed the need of maintaining sufficient state per pupil funding, capital expenditure financing, and funding equity. Barrette also discussed the MASA's support for school district reorganization. The MASA believes, said Barrette, that school district reorganization will allow for "more effective, excellent, and equal education opportunities for students."

Carl Johnson from the Minnesota School Board Association (MSBA) addressed the MSBA's general concern of lobbying for finance programs that allow for adequate, stable and equal funding among school districts in the state. As a representative of an organization that oversees school boards in the public school system, Johnson also discussed the need for more and improved staff development programs.

Speaking for the Minnesota Rural Education Association (MREA), Harold Larson told committee members of the disparity issues concerning educators, students and residents in rural areas of the state. "We don't believe," said Larson, "that education in Minnesota should be turned the marketplace competing for funding." The

MREA proposes that funding for 1987-89 be established so as to ensure that all school districts will receive revenue within \$200 of the amount levied to the top ten funded school districts in the state.

"Elementary schools have been functioning at a relatively low funding rate," said Executive Director of the Elementary School Principals Association Bob Arnold. In his overview presentation to panel members, Arnold discussed the organization's mission of enhancing quality education, stabilizing adequate funding, and promoting leadership programs for educators and students. Arnold also identified the areas needing improvement in the elementary school system such as reducing the class size, increasing the number of assistant teachers allocated to elementary teachers, and the hiring of administrative assistants.

Also speaking to the committee was Roger Arnsen from the Secondary School Principals Association. Arnsen briefly reviewed the organization's efforts of supporting high curriculum standards, teacher incentives, open enrollment, and instructional leadership.

A final presentation was given by Barb Baker from the Association of Stable and Growing School Districts. Concerned with below average per pupil funding among school districts, Baker stated, "the wealth of school districts should not be a determining factor of district funding." Baker also reported that funding equity, issues of fairness and a commitment to quality of education would be their platform issues for the 1987 legislative session.

### Committee reviews post-secondary systems

Director of the Area Vocational Technical Institute (AVTI) System Joe Graba and President of the Private College Council Larry Osness addressed the Higher Education Subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids) Mon., Jan. 26.

After identifying programs AVTI currently offers, Graba discussed the system's efforts to assess current programming, to recruit employees from area businesses who need to be retrained, to improve AVTI marketing programs, and to create associate degrees that will transfer to other post-secondary systems.

"Minnesota's private colleges are some of the healthiest in the country," said Private College Council President Larry Osness. Osness reported that the 17 private colleges in the state currently enroll 31,000 undergraduate students — 25 percent of the total undergraduates enrolled in the state. Osness also reported that one-third of the financial assistance recipients in the private college system come from families whose gross adjusted income is under \$18,000 a year. Financial assistance, said Osness, "is a critical factor in keeping these institutions alive."

### Effectiveness Program evaluated

The Minnesota Education Effectiveness Program has had some very successful results since the 1986 Legislature passed legislation for the continued development of maintaining and improving statewide education programs, members at a meeting of both Senate and House Education Committees were told. The committees met Wed., Jan. 28, to hear from persons affiliated with and affected by the program.

Dwight Lindbloom, Assistant Commissioner of Instructional Effectiveness at the Department of Education, gave a brief introduction to the committee reporting that the program has become very important in the state since it was created in 1983 and that currently there are 234 schools participating in the program.

Mary Lillesve, a specialist for the Effectiveness Program, presented the committee with an overview describing the program's mission, current status and on-going activities. The Educational Effectiveness Program supports education on all levels locally, regionally and statewide, with the intent of enhancing the quality of education and fostering parental and community involvement within the school district. Components of the program, Lillesve reported, include research, implementation, decision making processes, and networking.

Richard Mesenburg, Supervisor of Staff Development and Instructional Implementation at the Department of Education gave a brief evaluation of the program's activities. Mesenburg noted that increasing awareness of the program has been very positive as well

as increased staff and team work support. The only negative, Mesenburg said, has been with contract agreement issues. Mesenburg also reported that three colleges are now involved with the program. The budget for fiscal year 1986 was \$690,000, three-quarters of which was allocated to training sessions and speaker presentations.

Students, parents and education officials from the cities of LeSueur and Pine City also spoke to the committee. Judy Maethner, a LeSueur school principal praised the efforts of the program saying it has had a "profound effect" as the program has allowed members of the community to become involved with the decision making process within the LeSueur school system. "This is a very exciting process," said Maethner, "one making our school system truly democratic."

Jerry Buchanaga, from Red Lake, told panel members that the Effectiveness Program has also had profound effects in his community. As a community with low morale and high suicide rates on an Indian reservation, "the Effectiveness Program has taught us how to improve our community," Buchanaga said, "and we found it works."

Dr. Ken Kelsey from St. Cloud State University gave a final presentation to the committee. Kelsey reported that cooperative learning techniques and courses preparing teachers for different roles in the school system are being added to undergraduate curricula. Kelsey concluded his presentation by saying "colleges and universities are willing to cooperate with the Effectiveness Program."

## Education Aids

### District financial conditions examined

School district financial conditions and fund transfer requests were reviewed by Ken Zastrow of the Department of Education at the Education Aids Subcommittee meeting Thurs., Jan. 23.

Zastrow updated the committee, chaired by Sen. Randolph Peterson (DFL-Wyoming), on the activities of the Uniform Financial Accounting and Reporting Standards (UFARS) Council activities. The advisory council is responsible for reviewing and approving school fund transfers requests. Zastrow reported that UFARS has received twenty fund transfer requests since the 1985 Legislative session required school districts to request fund transfers through UFARS and the state board of education. Ten of the requests were approved in 1985 and one approved in 1986. Ted Suss, Administrator of the State Board noted that the 1985 requests were made early in the year. "If they'd come later" he said, "they probably would have been turned down."

Zastrow reported that foundation aid revenues increased \$142 million (8.9%) in 1986 because the basic \$1,474 aid for fiscal year 1985 increased to \$1,585 for fiscal year 1986. He also reported that 172 school districts improved their financial position by a \$21.7 million increase and that 264 school districts declined in their financial position by \$45.1 million. "The financial condition has slipped some," said Zastrow, "but it's still in good shape."

Gary Farland, also from the Department of Education, reported on aid appropriation transfers for fiscal years 1986 and 1987. Due to legislation in 1985, the Commissioner of Education now has the authority to transfer excess appropriations in education aids to fund deficiencies into various aid programs. Farland explained the process to committee members. He reported the estimated total deficiencies for fiscal year 1986 to equal \$12.2 million. The total appropriation transfers equaled \$5.5 million, leaving an estimated \$6.6 million in unfunded deficiencies for 1986. It is estimated that total deficiencies for 1987 equal \$14.4 million, and with \$2.8 million in appropriation transfers, the estimated unfunded deficiencies will total \$11.6 million. The total for biennial unfunded deficiencies is expected to be \$18.3 million.

### Committee reviews equalization trends

An analysis of equalization trends in Minnesota educational finance was presented to members of the Education Aids Subcommittee Mon., Jan. 26. The report, prepared by Senate and

# Committee Capsule

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House researchers, was written to provide legislators with adequate information to assess whether the current school district finance system is equitable. The report covers school district foundation aid and revenue trends from 1972 to 1987 and identifies and analyzes attributes of the finance system.

The researchers studied the distribution of revenue per pupil among Minnesota school districts. Although costs differ among the districts, the report concluded that per pupil revenue should not vary too much. While some districts carry more revenue than others, these differences are to be expected and accepted as geographical considerations, district sizes and student characteristics are inherent. Council Researcher Joel Sutter presented the findings of the report to the committee, and noted that since the adoption of the five tier formula, revenue disparities have been reduced somewhat.

The study also found that tax rates should not vary significantly among districts. However, when tax rates vary among districts, the level of disparities differ. The report found large gaps in the 1978-79 school year, a narrowing in 1981-82, and another wide gap in 1985-86. The tax disparities, said Sutter, have a "rollercoaster pattern," and are inevitable to the system.

Analyzing the tax rate and the revenue per pupil relationship between 1981-82 and 1986-87, the variables were found to have a positive relationship: school districts with higher tax rates are perceived to have higher per pupil revenue rates.

The relationship between foundation aid and revenue with property wealth were analyzed. The report found that revenue among the wealthier districts was higher, but on the average, revenue differences among most districts is minimal. Therefore, concluded the researchers, "differences in revenue should not be correlated with differences in property wealth.

Similarly, the report indicated that tax rate differences should not be correlated with property wealth differences, and that "wealthier districts should not have lower tax rates than poor districts."

Besty Rice from Senate Counsel also spoke to the subcommittee. Rice reviewed basic school district powers and duties, tenure terms and conditions, and employee labor relation provisions.

## Elections and Ethics

### Committee studies legislative analysis

An analysis of a study on how legislators view the Legislature was presented to members of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood) Fri., Jan. 23. Charles Backstrom, a professor of political science at the University of Minnesota conducted the study in December of 1986 and surveyed Legislators who served in the Legislature between 1980 and 1986. One hundred and seventy-three responded.

The survey showed that legislators work on legislative issues between 50 and 65 hours a week during the legislative session. According to the report, legislators spend 13 percent of their time studying bills, 33 percent in committee meetings, 15 percent with constituents, and 20 percent of their time in floor sessions. Ninety-two percent of the respondents indicated they would like to spend more time studying and preparing bills.

Even though legislators feel they do not have enough time to do all that they would like to do, 88 percent said the legislature should not become a full time year round position and nine out of ten respondents felt members should have another occupation.

Asked who they rely on most in obtaining information to make policy decisions, the governor was noted as the most important source. Almost 25 percent of the members responded that they relied on their caucus leaders for information on how to vote. About 15 percent replied they relied much on committee staff and less than five percent said they rely on the Senate and House research offices.

One in ten Senators said the legislative staff is too large. Sixty-two percent of the members noted a need for more computer and data processing assistance and 18 percent noted a need for a professional staff person for each member.

When asked about the ideal size of the Senate, eight percent of the members thought it should be larger, 34 percent thought it should remain the same, and 58 percent thought it should be smaller. The average desired size for the legislature was 57 members in the Senate and 113 members in the House. Seventy-eight percent of the members did not favor a unicameral system.

Eighty-six percent of the members said the Legislature should spend more time overseeing how agencies carry out Legislative intent and 55 percent responded that the governor should be the principle source of policy leadership in the state. Two-thirds of the respondents did not think the governor's authorship of the budget gives him too much power.

## Employment

### Panel reviews workers' comp

"The system has become overly burdensome," stated chair Sen. A.W. "Bill" Diessner of the workers' compensation process when the Employment Subcommittee on Injured Workers Compensation met Mon., Jan. 26.

The panel heard from newly appointed Department of Labor and Industry Commissioner Ray Bohn, Deputy Commissioner Ken Peterson and Assistant Commissioner Jay Benanav.

Injured worker Mike Wallace, who has had experience with the workers' compensation system also addressed the Senators, offering his opinion on the assistance provided by the Department.

Bohn, who was appointed Dec. 1, presented an overview of the entire Department which is made up of three major groups: Administrative Operations, Regulation and Enforcement, and the largest, the Workers' Compensation Division.

The Department has a total of 356 employees with an operating budget of approximately \$15.7 million, according to Bohn. User fees, the state's general fund and federal funding support the department, Bohn said.

"The process is taking longer now than it was a few years ago," Bohn said of the handling of benefit claims. He said it takes from 16-20 months to process some claims. He said because of new legislation, more claims are coming under litigation and are being tested in the courts thus extending the time frame.

Bohn said he is exploring ways to streamline the process and that he hopes to have a proposal before the committee by March 1.

Wallace, the first of several injured workers who will make an appearance before the subcommittee this session, said the system of monetary compensation "stinks." He also said psychological counseling and support would have been of great benefit had it been made available to him.

### Unemployment insurance issues aired

A discussion of the unemployment insurance system Thurs., Jan. 29, revealed that the Department of Jobs and Training still has several technical problems that have to be corrected, according to Joe Samargia, the department's commissioner. However, he said that for the first time in several years the unemployment compensation fund is in the black. Lower than expected rates of unemployment statewide have resulted in a \$45.7 million positive fund balance.

Assistant Commissioner Mike Gunderson gave an overview of the unemployment insurance program to the Employment Committee, chaired by Sen. Florian Chimelewski (DFL-Sturgeon Lake).

Senators were concerned that the state will lose \$1-1/2 million through federal penalty fees if Minnesota doesn't conform to federal law.

Samargia said he has been working with a six member panel to establish any needed changes with unemployment insurance and within the department. Among the issues under consideration are freezing benefits, taxing of benefits, seasonal workers and the unemployment system and wage conversion, he said.

Some committee members asked for a more accurate formula for determining unemployment figures and said they believed the current Department of Labor formula overlooks some people who are out of work.

## Finance

### Governor's budget gets first glance

Governor Rudy Perpich presented state lawmakers with his budget, which calls for the smallest percentage increase in state spending in 22 years. The Senate Finance Committee reviewed the proposal at their first meeting, Wed., Feb. 28.

Under the governor's \$11.4 billion plan, Minnesota's budget would increase over the next biennium by about 7.8 percent. Education spending would increase by \$570 million or 14 percent; actual dollar appropriations for state agencies would be reduced; the state's wage subsidy program would be cut and more dollars would be used for changes in the welfare system; funding for the state's mental health system would increase by \$14 million; and a \$250 million budget reserve would be established.

Deputy Finance Commissioner Nellie Johnson said the governor's budget is a "focused, long-term investment in what is necessary to provide jobs for Minnesotans." The emphasis, she said, is on providing tax reform, making a greater commitment to education and creating a climate of research to produce more jobs in Minnesota. Coupled with the budget proposal is the governor's plan for tax reform.

The governor's plan will undergo close scrutiny by the four divisions of Finance: Agriculture, Transportation and Semi-States; Education; Health and Human Services; and State Departments. Each division will study the specifics of the governor's budget and hold public hearings on the proposals.

## General Legislation and Public Gaming

### Gambling board seeks waiver direction

The Subcommittee on the Commercialization of Gambling recommended Fri., Jan. 23, that the Charitable Gambling Control Board continue allowing organizations and bingo hall owners to sponsor more bingo occasions weekly than permitted by law. While the recommendation was not a legislative mandate, it provided board executive secretary Roger Franke a direction in determining whether future waiver requests should be granted.

Under the law, organizations may sponsor two bingo occasions per week, and, in the same time frame, owners of bingo halls may hold up to four bingo occasions on their premises. The board must grant organizations and hall owners "waivers" when allowing them to exceed these limits. Franke questioned whether the board should end this practice to avoid potential commercialization of charitable gambling.

While subcommittee members expressed concern over the issue, they were reluctant to recommend that the board deny waivers to organizations awaiting approval, especially when waivers have been granted in the past. However, Sen. Marilyn Lantry (DFL-St. Paul), chair of the subcommittee, said it is an issue that the Legislature must further examine this session.

### Federal gambling tax exemption requested

The General Legislation and Public Gaming Committee okayed a resolution Wed., Jan. 28, requesting Congress to exempt nonprofit organizations from paying any excise or unrelated business taxes for charitable gambling the organizations conduct. According to the author, chairman Bob Lessard (DFL-Int'l. Falls), the exemption would yield another \$250,000 per year for Minnesota's charitable organizations.

"We feel that for the federal government to tax these charities . . . is wrong," Lessard said when presenting his proposal. The resolution, S.F. 133, was referred to the Rules and Administration Committee.

In other action Wednesday, the committee advanced a bill delaying a law requiring half of the tax proceeds on pull-tabs to be sent to the Dept. of Revenue. The proposal, S.F. 60, authored by Lessard, delays the law's effective date until August 1, 1987. Lessard

said the measure would help licensed pull-tab operators and distributors adjust to the new provision, which became effective January 1.

## Governmental Operations

### Panel examines APA

Members of the Governmental Operations Ad Hoc Subcommittee on the Administrative Procedure Act met Tues., Jan. 27, to hear comments and concerns about the state's APA law. The Administrative Procedure Act is the part of state law that governs the state's rule making procedure and contested case procedure. Chairman Darril Wegscheid (DFL-Apple Valley) called the meeting in order to discuss those aspects of the law that work well and the parts of the statute that could be improved.

Subcommittee staff reported on those concerns about the APA that led to the formation of the ad hoc subcommittee. Specifically, the staff members mentioned concerns that emergency rulemaking authority was over used, that "substantial change" in rules should be more clearly defined, that the Legislature gives overly broad rulemaking authority, that it is not clearly spelled out in statute when an individual has a right to a contested case hearing, that not all rulemaking is referenced in the Administrative Procedure Act, and that the Legislative Commission to Review Administrative Rules' authority to suspend rules is in effect a legislative veto, which is unconstitutional.

Mike Miles of the attorney general's office testified on the concerns expressed by subcommittee staff and expanded on the areas of defining "substantial change" and of regulatory analysis. In the area of contested case proceedings, however, Miles said, "If it ain't broke don't fix it." He cited three reasons to proceed cautiously. First, he said, that revamping the contest case section of the law would "throw away" previous cases. Second, revamping could be extremely expensive because it would greatly expand the definition of contested case. Finally, alteration would require training of state personnel and expand the powers of the Office of Administrative Hearings.

Chief Hearing Examiner Duane Harves provided subcommittee members with a detailed history of the evolution of the Administrative Procedure Act and enumerated his recommendations for improvement. Harves, too, saw the need for a clear definition for a standard of substantial change. However, according to Harves, "the single biggest problem is that there are too many exemptions" to the Administrative Procedure Act. He spoke favorably of the adoption of an "administrative procedure model act," which was developed by the National Commission on Uniform Laws.

Consideration of issues relating to the Administrative Procedure Act will be an ongoing agenda item for the subcommittee.

## Health and Human Services

### Panel examines DHS

An overview of the organization, funding and issues confronting the Department of Human Services was presented at the Tues., Jan. 27, meeting of the Health and Human Services Committee. Commissioner Sandra Gardebring, citing the department's mission statement, said, "Our goal is to help people achieve self-sufficiency to the full extent of their abilities." Gardebring characterized the department's relationship with both the federal government and county governments throughout the state. Much of the department's funding comes through the federal government and while the department supervises the distribution of funds, it is up to the counties to actually administer the delivery of human services.

Gardebring also outlined some of the major issues confronting the department which will require legislative action. "We must balance compelling competing agenda items in a fiscally responsible manner," she said. To that end, she listed welfare reform as one of the major items before the department. However, she

# Committee Capsule

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pointed out that for the majority of AFDC recipients, the program "operates just as it is supposed to operate," serving as a transitional program as individual adjust to abrupt lifestyle disruptions. Gardebring listed several objectives that the department hopes to meet in the area of welfare reform including child care funding for target groups, the removal of federal barriers, creating a jobs perspective rather than an income maintenance perspective, and developing a case management rather than an eligibility standard approach.

A second major agenda item for the department is improvement of mental health services. Gardebring indicated that the department had developed aggressive initiatives to improve the quality, availability and accessibility of mental health services. Chief among those initiatives, Gardebring said, are defining and mandating an array of mental health services, developing an integrated mental health fund, and implementing a major overall of licensing authority.

Chemical dependency and the administration of the consolidated chemical dependency fund is a third major issue for departmental consideration, Gardebring said, as is the administration of the state's Regional Treatment Centers. At this time, Gardebring said, there are no plans to shut down any of the Regional Treatment Centers.

The larger category of children's services was another issue area Gardebring mentioned. Child care, an Independent Living Skills program, and the reduction of the outside placement of children are all issues before the department. Issues relating to long-term health care, community social services, aging and the work readiness program were also highlighted by Gardebring as agenda items. Finally, Gardebring cited the need for updating the department's information systems. Because some of the hardware is so antiquated, the department must update or be faced with federal sanctions because of non-compliance with federal information system requirements.

Committee members, chaired by Sen. Linda Berglin (DFL-Mpls.), devoted the latter portion of the meeting to discussion of a report by the Child Support Task Force of the Governors Non-Tax Revenue Commission. Loretta Frederick, a member of the commission, presented the recommendations of the task force. The recommendations included creating incentives for inter- and intrastate support enforcement; establishing state incentives to counties for providing administrative resources for support collections; providing non-public assistance clients informational services; revising the child support guidelines to reflect specific principles; and allowing courts to order immediate income withholding upon finding that payments are not otherwise likely to be made in a timely manner.

## Informational briefings continue

The Health and Human Services Committee devoted the Wed., Jan. 28, hearing to informational briefings by the commissioner of health, the commissioner of jobs and training and the director of the office of full productivity and training.

Sister Mary Madonna Ashton, of the Dept. of Health, described the department's organization and funding before discussing the agency's primary legislative issues. The chief item, Ashton said, is the issue of home health licensure. She indicated that with increased emphasis on diverting people from long-term nursing home care into alternative care programs and with the early release of hospital patients, the licensure of home health care providers was of primary concern to the department. Another departmental initiative, a cancer surveillance program, would allow the health department to develop better base data to track the incidence of cancer in specific areas, she said. Ashton also said that the department was working very closely with the Aids Task Force to develop recommendations; although, at this time, the department did not have any specific AIDS legislative proposals.

Other issues facing the health department include access to medical care for the uninsured and underinsured, long-term care, and regulation of mental health professions.

Joe Samargia, commissioner of the Department of Jobs and

Training, came before the committee to update members on those areas of the department relating to health and human services. Samargia described the organization and funding for the department and explained specific programs administered by the agency. Samargia pointed out that the department relied heavily on federal funds and that many of those funds had been either severely cut or eliminated in recent years. He also explained that the new gubernatorial budget eliminated the MEED program by transferring the funds to other areas in order to target specific populations.

Keith Ford, director of the Office of Full Productivity and Opportunity, outlined the functions of the office. According to Ford, the office was not designed to administer programs, but rather to plan, coordinate and integrate services.

## Judiciary

### Judicial modification bill gains

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), began consideration of bills at the hearing Wed., Jan. 28. The first measure, S.F. 21, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides for the judicial modification of selected statutes in specific circumstances.

The bill applies only to statutes that have been in effect for more than 20 years before the event which is the subject of the case and to statutes that impose a rule of private law. Private law is defined in the bill as law relating to the legal relations of private parties, including the areas of contracts, torts, probate, commercial transactions, marriage and dissolution, partnerships, associations, corporations, principal and agent, trusts, evidence, remedies, conflict of laws, unfair competition and trade, creditors' and debtors' rights and environmental rights.

In addition, before a court could modify a statute, application of the statute would have to lead to an unjust result. Further, the bill specifies that the modification could occur only when the modification does not unduly prejudice a party who relied on the statute when the modification could not reasonably be foreseen and when the modification does not involve changing a number. Finally, the bill specifies that modification of a statute does not amend or repeal a statute and requires the court to notify the Revisor of Statute when a statute has been modified. An amendment was adopted requiring the revisor to notify the legislature of a judicial modification of statute.

In other action, the panel approved three additional bills. S.F. 85, sponsored by Sen. Ember Reichgott (DFL-New Hope), authorizes the owners of adjacent tracts of land with a common title defect to join in one application to register title to their tracts. S.F. 96, authored by Spear, enacts the Uniform Premarital Agreement Act and repeals existing law relating to antenuptial contracts. S.F. 104, also carried by Spear, revises and corrects non-substantive provisions of the Uniform Trade Secret Act.

## Local and Urban Government

### Panel tours metro facilities

Tours and overviews of metropolitan facilities were given to members of the Local and Urban Government Committee Mon., Jan. 26, and Thurs., Jan. 29.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), toured the Humphrey Metro Dome Jan. 26. Ron Gornick, Chairman of the Metro Sports Commission and Acting Director Dennis Alfin gave them an overview of the facility's organization and structure.

Dirk deVries, Vice-Chairman of the Metropolitan Council, Elliott Perovich, Chairman of the Regional Transit Board, Peter Meintsma, Chairman of the Metropolitan Waste Control Commission and Chairman Larry Kitto of the Metropolitan Parks and Waste Commission spoke to the committee Jan. 29 following a tour of the offices at the Metro Square Building in downtown St. Paul.

## Public Utilities and Energy

### Utility and energy issues aired

Issues under the jurisdiction of the Public Utilities and Energy

Committee were presented at the panel's first meeting, Thurs., Jan. 29. The committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), focused on the composition, responsibilities and activities of the Public Utilities Commission for the first portion of the hearing and then listened to presentations by representatives of the Department of Public Service for the latter half of the meeting.

Commissioner Darrel Peterson outlined a range of issues before the Public Utilities Commission (PUC) this year and explained PUC procedure in general rate cases. In addition, Peterson explained that the mission of the PUC is to assure that electric, gas, and telephone utilities provide customers with adequate and reliable service at reasonable rates, consistent with the economic requirements of the utilities. Peterson also highlighted other activities undertaken by the PUC, including evaluating general rate filings, certificate of need filings, customer complaints, and other miscellaneous filings. The PUC also initiates dockets dealing with a variety of issues. Finally, the PUC is also involved in rulemaking proceedings.

The PUC is made up of five commissioners, appointed by the governor for staggered six year terms. The commissioners are full time and the chairmanship is also a gubernatorial appointee. The current budget is approximately \$1.5 million annually and is almost completely self-supported through assessments to regulated utilities.

Commissioner Tony Perpich of the Department of Public Service gave a brief overview of the department before introducing the directors of the three major department divisions. Perpich noted that the department had been expanded, by executive order, with the transfer of the Energy division from the Department of Energy and Economic Development to the Public Service Department. Perpich explained that the transfer was made in order to place all energy related concerns within the jurisdiction of one department. The transfer, he said, would thus increase efficiency and accountability in energy related programs.

Marcia Battles-Jenks, Director of the Energy Division, outlined the five areas of responsibility under the division: data collection and analysis; education; information; financial programs; and the distribution of the oil overcharge. Ed Skluzacek, Director of the Weights and Measures Division, explained that the division acted as a neutral party, protecting buyers and sellers, in weighing and measuring transactions. He went on to explain that the division was divided into two areas: enforcement and metrology. Ken Nicholai, Director of the Utilities Division, explained that the division acted as the investigative, advocacy and enforcement arm of Minnesota's regulation of public utilities. The department, thus, has jurisdiction in both state and federal regulatory activities, he said. Nicholai also explained that the major policy goals of his division were aiding the adaptation to competition, providing customer information; providing customer choices, and insuring reasonable cost-price levels.

## Taxes and Tax Laws

### Citizen's group addresses joint tax committee

Minnesota Citizens for Tax Justice (MCTJ), a coalition of labor unions, environmental groups and a teacher's organization, told a joint House and Senate tax committee meeting that homeowner's property tax credits should not be reduced and renter's tax credits should not be eliminated as proposed by the governor's tax reform plan. Speakers claimed that the elimination of the credits will not be offset by reductions in income tax rates and that those with incomes under \$20,000 per year will lose more than they gain under the proposal.

In addition, representatives of MCTJ provided research data which claimed corporate business taxes do not affect the business climate in any given state.

Wayne Cox, MCTJ coordinator, Kip Sullivan, Minnesota COACT research director, Fritz Wiecking, Citizens for Tax Justice Field Director and Tom Stinson, adjunct professor in the Department of Agriculture and Applied Economics, University of Minnesota, made the remarks at the Wed., Jan. 28, hearing chaired by Rep. Gordon Voss (DFL-Blaine).

## Transportation

### Committee approves pipeline safety bill

Hearings continued on the Pipeline Safety Act, S.F. 90, at the Transportation Committee meeting Tues., Jan. 27. The bill, providing a variety of pipeline safety measures was unanimously approved by the committee.

The bill was approved after panel members heard testimony from many proponents of the bill. Darrel Bunge, Executive Director of the Minnesota Petroleum Council announced the Council's support for the passage of S.F. 90, commending the state's efforts in establishing a statewide emergency notification center.

Koch Industries representative Allen Caldwell spoke in favor of the bill but urged legislators to be very careful in considering legislation that could seem to discourage new pipeline construction. Caldwell said he was concerned because the bill could become economically disadvantageous to the state if new construction is deterred.

"We have no problem with pipeline safety regulations," said Wesley Cochrane from Lakehead Pipeline, "if they are adopted uniformly." In his presentation to the committee, Cochrane discussed the importance of establishing a one-call notification center and providing training for pipeline operators.

Jack Fuerst from Tennessee Gas Transmission applauded the state for creating a pipeline safety bill but expressed some concerns. Fuerst noted his company's objection to third party inspections without pipeline owners' knowledge.

The bill was forwarded to the Public Utilities Committee for further discussion.

### Mn/DOT presents overview

The Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met again Thurs., Jan. 29 to hear an overview presentation from representatives of the Minnesota Department of Transportation (Mn/DOT).

Funding issues are not going to be easy to solve this year," said Mn/DOT Commissioner Len Levine, "but the Governor has told me that he feels very strongly about transportation issues and will approve necessary funding."

According to Levine, Governor Perpich has requested Levine and Department of Public Safety Commissioner Paul Tschida to put together a plan which would reduce the number of highway accidents in the 1990s and to study near-term and long-term infrastructure needs.

Among legislative initiatives Levine and his staff will concentrate on this session are: studying alternative funding sources; curbing traffic congestion problems in the urban areas; and assessing ways to increase public transfer services.

Mn/DOT Deputy Commission Doug Differt presented the committee with a brief overview of the organization and the functions of various divisions within the department.

## Veterans

### Legislative initiatives presented

The newly formed Veterans Committee, chaired by Sen. Joe Bertram (DFL-Paynesville), held its first meeting Thurs., Jan. 29, to review issues currently affecting Minnesota's veterans.

During that meeting, Jeff Olson, Deputy Commissioner of Veterans Affairs, summarized the department's legislative initiatives for the 1987 session.

According to Olson, the department was "treated very fairly" in the governor's proposed budget, which provides a funding increase of about 13 percent. The issues the department will pursue include: providing free Minnesota license plates for former POW's; re-establishing the Veterans Affairs Advisory Board; instituting guidelines for the certification of County Veterans Service Officers; and reinstating the Brown Star Cemetery Program.

Olson said the license plate program would cost the state about \$45,000 if every POW living in Minnesota took advantage of the program. And, the department is requesting an \$80,000 appropriation for the Brown Star program.

Bertram said the committee should act soon on these proposals to insure that they get due consideration by the Legislature.

# Preview

## The Minnesota Senate Week at a Glance

**Monday, February 2, 1987**

**Education Committee**, Chair: James Pehler  
8:30 AM Room 15 Capitol

**Agenda:** Association of Metropolitan School Districts; Higher Education Faculty and Student Organizations.

**Agriculture Committee**, Chair: Charles Davis  
10:00 AM Room 112 Capitol

**Agenda:** Continuation of Friday, January 30, meeting. S.F. 61-Berg: Deficiency appropriation for the interest buy-down program. S.F. 89-Berg: Amending the farmer-lender mediation act.

**Judiciary Committee**, Chair: Allan Spear  
10:00 AM Room 15 Capitol

**Agenda:** S.F. 53-Luther: Municipal indemnification of officers, employees, for punitive damages. S.F. 97-Spear: Fraudulent transfers. S.F. 152-Lantry: Crime victim emergency assistance program. S.F. 168-Reichgott: Credit discrimination.

**Local and Urban Government**, Chair: Robert Schmitz  
12:00 Noon Room 107 Capitol

**Agenda:** Presentation of legislative programs by: Minnesota Association of Counties; Metropolitan Inter-County Association.

**Economic Development and Housing Committee**, Chair: Donald Frank  
12:00 Noon Room 15 Capitol

**Agenda:** S.F. 170-Pogemiller: Bond Recodification. S.F. 19-Dahl: A bill to authorize grants for the creation of seed capital funds.

**Employment Subcommittee on Injured Workers Compensation**,  
Chair: A.W. "Bill" Diessner  
1:00 PM Room 112 Capitol

**Agenda:** Testimony by injured workers and discussion of Injured Workers Compensation Program.

**Senate will be in session at 2:00 PM**

**Education Aids Subcommittee**, Chair: Randolph Peterson  
3:00 PM Room 15 Capitol

**Agenda:** S.F. 166-Peterson, R.W.: Education Funding Proposal.

**Employment Committee**, Chair: Florian Chmielewski  
8:00 AM Room 107 Capitol

**Agenda:** Overview of the Workers Compensation System. Speaker: Commissioner Ray Bohn, Dept. of Labor and Industry.

**Tuesday, February 3, 1987**

**Transportation Committee**, Chair: Clarence Purfeerst  
8:00 AM Room 112 Capitol

**Agenda:** S.F. 17-Dahl: Lifetime motor vehicle license plates. S.F. 28-Belanger: Personalized plates issued before 7-1-85 issued for life of holder. S.F. 34-Ramstad: Lifetime motor vehicle license plates. S.F. 55-Frederick: Initial fee to renew personalized license plates be prorated; providing for refunds. S.F. 63-Lantry: Certain license plates issued every six years.

**Governmental Operations Subcommittee on Administrative Procedure Act**, Chair: Darril Wegscheid  
8:30 AM Room 15 Capitol

**Agenda:** Review of Administrative Procedure Act.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich  
10:00 AM Room 15 Capitol

**Agenda:** S.F. 90-Novak: Minnesota Pipeline Safety Act.

**Health and Human Services Committee**, Chair: Linda Berglin  
1:00 PM Room 15 Capitol

**Agenda:** Progress report on Day Care Licensing Reform. Report of Child Care Task Force. Orville Pung, Commissioner of Corrections, will present an overview of the Department and issues. Commissioner Randall, Education Department, will give an overview of Health and Human Service areas within the Department.

**Finance Committee**, Chair: Gene Merriam  
3:00 PM Room 123 Capitol

**Agenda:** S.F. 62-Berg: Deficiency appropriation for the interest rate buy-down program.

**Taxes and Tax Laws Property Taxes and Local Government Aids Division**, Chair: Steven Novak  
3:00 PM Room 15 Capitol

**Agenda:** Overview of State Property Tax system.

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## Wednesday, February 4, 1987

### General Legislation and Public Gaming Subcommittee on Commercialization of Charitable Gambling, Chair: Marilyn Lantry

8:00 AM Room 107 Capitol

**Agenda:** Proposed legislation on definition of commercialization of charitable gambling.

### Education Committee, Chair: James Pehler

8:30 AM Room 15 Capitol

**Agenda:** Historical summary of Minnesota Education Policy by Dan Loritz, State Planning Agency. "Vision For Minnesota", Governor's discussion group report presented by Commissioner Ruth Randall

### Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Budget hearings for: Arts board, Veterans of Foreign Wars, and Disabled American Veterans.

### Judiciary Committee Civil Law Division, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 87-Chmielewski: Extend state tort liab. S.F. 156-Luther: Uniform Commercial Code. S.F. 157-Luther: Statutory Rule - Perpetuities. S.F. 99-Jude: Conflict of Laws - Limitations.

### Judiciary Committee Criminal Law Division, Chair: Donna Peterson.

10:30 AM Room 15 Capitol

**Agenda:** S.F. 30-Belanger: Health professionals reporting of burn injuries to the arson hot line. S.F. 59-Diessner: Boating while intoxicated (BWI) gross misdemeanor prosecution jurisdiction.

### Health and Human Services, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** Speaker Tom Loftus, Wisconsin House of Representatives, will give a presentation relating to the Wisconsin experience on Child Support.

### Tax Committee Sales Tax Division, Chair: LeRoy Stumpf

3:00 PM Room 15 Capitol

**Agenda:** Informational meeting on sales tax.

## Thursday, February 5, 1987

### Transportation Committee, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 44-Pehler: Abolishing restrictions on disposition of right-of-way of Trunk Highway No. 15 in St. Cloud. S.F. 72-Frank: Relating to drivers' licenses, requiring certain notice on traffic ticket. S.F. 136-Wegscheid: School bus - providing for amber proceed-with-caution signal.

### Governmental Operations, Chair: Moe, D.M.

8:30 AM Room 15 Capitol

**Agenda:** Continuation of S.F. 81-Pogemiller: Consolidation of Contitutional Offices.

### Commerce Committee, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** Continuation of Commerce Dept. overview by Commissioner Mike Hatch.

### Economic Development and Housing Committee, Chair: Don Frank

12:00 PM Room 15 Capitol

**Agenda:** Presentation on MN Tourism Division by Hank Todd. Overview of the World Trade Center by Rick Nolan.

### Local and Urban Government Committee, Chair: Robert Schmitz

12:00 PM Room 107 Capitol

**Agenda:** Presentation of legislative programs by: League of Minnesota Cities, Donald Slater, Executive Director and Association of Metropolitan Municipalities, Vern Peterson, Executive Director.

### Senate will be in session at 2:00 PM

### Education Aids Subcommittee, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** Aids Budget: Foundation Program, Retirement Program.

### Finance Committee State Departments Division, Chair: Carl W. Kroening

3:00 PM Room 125 Capitol

**Agenda:** Budget overviews by the Governor's Office, Secretary of State, Board of Investment, Dept. of Military Affairs, and Dept. of Finance.

## Friday, February 6, 1987

### Agriculture Committee, Chair: Charles Davis

8:00 AM Room 112 Capitol

**Agenda:** S.F. 1-Moe,R.D.: Economic development; rural development; agricultural resource loan guaranty board.

### Education Subcommittee on Higher Education, Chair: Gregory Dahl

8:00 AM Room 15 Capitol

**Agenda:** Overview of Governor's Budget - Ron Hackett. Economic Development and Applied Research discussion Chancellor Robert Carrothers, State University System. S.F. 141-Morse: Engineering Proposal, Winona State University.

### General Legislation and Public Gaming, Chair: Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 167-Lessard: Requiring Zoo Board appointments to be confirmed by the Senate. Continuation of MN Zoological Board hearing.

### Judiciary Division of Criminal Law, Chair: Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** Uniform Extradition and Rendition Act.

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## Visiting

It is possible to arrange a personal visit with your legislator by calling his or her office and arranging a time with the secretary. Legislators keep busy schedules, so it is important to call in advance and arrange a time. You do not need to be a lobbyist to talk with your legislator. They welcome visits from their constituents.

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## How a bill becomes law

The first step of the lawmaking process is to transform an idea into a specific proposal for a law. The proposal may be for a new law, for changing current law or for repealing a law. The proposal may originate from a variety of sources: individuals, public interest groups, state agencies or businesses.

In bicameral legislatures, a bill must pass both bodies and be signed by the governor of the state.

Before a bill can begin to be processed through either of the two houses, it must be given its first formal "reading." The first reading occurs when the bill is introduced, given a file number and assigned to a committee for study.

The committee chairman decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of legislation. Any person may testify on any bill.

After weighing all the testimony and thoroughly examining and discussing the pros and cons of the bill, the committee members may take several different courses of action. They may vote to: recommend that the bill be passed and sent directly to the House or Senate floor; approve the bill to the floor or another committee without a recommendation for passage; keep it in committee indefinitely or simply defeat it.

Members of the committee can change a bill. These changes are called amendments. The members may recommend that the bill be amended to improve it or to reach a compromise among the bill's proponents and opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body for discussion and consideration. Floor amendments are considered and a

preliminary vote on the bill is taken. If approved, the bill is laid over for at least twenty-four hours before being considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If a measure does not go through in the same form, a conference committee is established consisting of both senators and representatives to work out a final version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the executive office, where it faces another test. The governor may sign the bill into law, veto it, or allow the bill to expire without signing it. A veto may be overridden if both houses repass the bill with a two-thirds majority vote.

## Briefly

Briefly is published weekly during legislative sessions by the Publications Office, Room G-23K, State Capitol Building, St. Paul, MN 55115. Briefly is mailed free of charge to interested or concerned citizens and news media. To be placed on the mailing list, write or call (612) 296-0504.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

## Information Services

The Senate Information Office is located in Room 231 of the Capitol. The office distributes all public materials and handles inquiries about Senate committee meetings, Senate districts, Senate phone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request, through this office, copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your legislator or have any other questions concerning the Minnesota Senate, call 296-0504. Senate staff members are available to answer general questions about the Senate and the legislative process.

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# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE (15)

**CHAIRMAN:** Davis  
**OFFICE NO:** G-24  
**MEETS:** M, W; Room 112, 10-12 noon  
**MEMBERS:**  
Anderson Brandl Frederickson, D.R. Renneke  
Beckman Davis Freeman Stumpf  
Berg DeCramer Larson Vickerman  
Bertram Frederickson, D.J. Morse

## COMMERCE (18)

**CHAIRMAN:** Solon  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 10-12 noon  
**MEMBERS:**  
Adkins Frederick Metzen Spear  
Anderson Freeman Peterson, D.C. Taylor  
Belanger Kroening Purfeerst Wegscheid  
Cohen Luther Samuelson  
Dahl McQuaid Solon

## ECONOMIC DEVELOPMENT AND HOUSING (12)

**CHAIRMAN:** Frank  
**OFFICE NO:** G-10  
**MEETS:** M, Th; Room 15; 12-2  
**MEMBERS:**  
Beckman Dahl Gustafson Morse  
Bernhagen Dicklich Knaak Reichgott  
Cohen Frank Kroening Storm

## EDUCATION (21)

**CHAIRMAN:** Pehler  
**OFFICE NO:** G-9  
**MEETS:** M, W, F; Room 15, 8-10 a.m.  
**MEMBERS:**  
Beckman Knaak Olson Reichgott  
Dahl Knutson Pehler Stumpf  
DeCramer Langseth Peterson, D.C. Wegscheid  
Dicklich Larson Peterson, R.W.  
Frederickson, D.J. Mehrkens Pogemiller  
Hughes Morse Ramstad

## EDUCATION AIDS (14)

**CHAIRMAN:** Peterson, R.W.  
**OFFICE NO:** G9  
**MEETS:** T, Th; Room 15; 3-5 p.m.  
**MEMBERS:**  
DeCramer Knutson Peterson, D.C. Reichgott  
Dicklich Langseth Peterson, R.W. Stumpf  
Hughes Mehrkens Pogemiller  
Knaak Olson Pehler

## ELECTIONS AND ETHICS (11)

**CHAIRMAN:** Hughes  
**OFFICE NO:** 328  
**MEETS:** W; Room 107; 11:30 a.m.-1 p.m.  
**MEMBERS:**  
Hughes Laidig Moe, R.D. Samuelson  
Johnson, D.E. Luther Morse Willet  
Johnson, D.C. McQuaid Peterson, D.C.

## EMPLOYMENT (11)

**CHAIRMAN:** Chmielewski  
**OFFICE NO:** 325  
**MEETS:** T, Th; Room 107, 8-10 a.m.  
**MEMBERS:**  
Adkins Chmielewski Gustafson Piper  
Beckman Diessner Kroening Ramstad  
Brataas Frank Pehler

## ENVIRONMENT AND NATURAL RESOURCES (18)

**CHAIRMAN:** Willet  
**OFFICE NO:** 111  
**MEETS:** T, W, F; Room 112; 1-3 p.m.  
**MEMBERS:**  
Berg Knaak Merriam Stumpf  
Bernhagen Morse Moe, R.D. Wegscheid  
Dahl Larson Novak Willet  
Davis Lessard Olson  
Frederickson, D.R. Marty Peterson, R.W.

## FINANCE (28)

**CHAIRMAN:** Merriam  
**OFFICE NO:** 122  
**MEETS:** T, W, F; Room 123, 3-5 p.m.  
**MEMBERS:**  
Brataas Johnson, D.E.  
Dahl Knutson Mehrkens  
DeCramer Kroening Merriam Renneke  
Dicklich Langseth Metzen Samuelson  
Frederickson, D.R. Lantry Moe, D.M. Solon  
Freeman Lessard Piper Spear  
Hughes Luther Purfeerst Taylor  
Ramstad Waldorf Willet

## GENERAL LEGISLATION AND PUBLIC GAMING (10)

**CHAIRMAN:** Lessard  
**OFFICE NO:** 328  
**MEETS:** W, F; Room 107; 8-10 a.m.  
**MEMBERS:**  
Berg Diessner Lantry Samuelson  
Bertram Frederickson, D.R. Lessard  
Davis Johnson, D.E. McQuaid

## GOVERNMENTAL OPERATIONS (11)

**CHAIRMAN:** Moe, D.M.  
**OFFICE NO:** 309  
**MEETS:** T, Th; Room 15; 8-10 a.m.  
**MEMBERS:**  
Frederickson, D.J. Jude Pogemiller Waldorf  
Frederickson, D.R. Marty Renneke Wegscheid  
Freeman Moe, D.M. Taylor

## HEALTH AND HUMAN SERVICES (15)

**CHAIRMAN:** Berglin  
**OFFICE NO:** G-29  
**MEETS:** T, W, F; Room 15; 1-3 p.m.  
**MEMBERS:**  
Adkins Brandl Knutson Storm  
Anderson Brataas Lantry Vickerman  
Benson Chmielewski Piper Waldorf  
Berglin Diessner Solon

## JUDICIARY (17)

**CHAIRMAN:** Spear  
**OFFICE NO:** G-27  
**MEETS:** M, W, F; Room 15; 10-12 noon  
**MEMBERS:**  
Belanger Laidig Peterson, D.C. Spear  
Berglin Luther Peterson, R.W. Storm  
Cohen Marty Pogemiller  
Jude Merriam Ramstad  
Knaak Moe, D.M. Reichgott

## LOCAL AND URBAN GOVERNMENT (10)

**CHAIRMAN:** Schmitz  
**OFFICE NO:** 235  
**MEETS:** M, Th; Room 107; 12-2 p.m.  
**MEMBERS:**  
Adkins McQuaid Renneke Wegscheid  
Bertram Metzner Schmitz  
Frederickson, D.J. Olson Vickerman

## PUBLIC UTILITIES AND ENERGY (13)

**CHAIRMAN:** Dicklich  
**OFFICE NO:** 235  
**MEETS:** T, Th; Room 15; 10-12 noon  
**MEMBERS:**  
Brandl Johnson, D.E. Novak Waldorf  
Dicklich Johnson, D.J. Olson  
Frank Jude Piper  
Gustafson Marty Storm

## RULES AND ADMINISTRATION (30)

**CHAIRMAN:** Moe, R.D.  
**OFFICE NO:** 208  
**MEETS:** On Call  
**MEMBERS:**  
Belanger Frank Luther Renneke  
Benson Frederick Merriam Schmitz  
Berglin Hughes Moe, D.M. Solon  
Bernhagen Johnson, D.E. Moe, R.D. Spear  
Bertram Johnson, D.J. Novak Taylor  
Chmielewski Knutson Pehler Willet  
Davis Laidig Peterson, R.W.  
Dicklich Lessard Purfeerst

## TAXES AND TAX LAWS (26)

**CHAIRMAN:** Johnson, D.J.  
**OFFICE NO:** 205  
**MEETS:** T, W, F; Room 15; 3-5 p.m.  
**MEMBERS:**  
Anderson Brandl Gustafson Peterson, R.W.  
Belanger Chmielewski Johnson, D.J. Pogemiller  
Benson Cohen Jude Reichgott  
Berg Davis Laidig Schmitz  
Berglin Diessner Novak Stumpf  
Bernhagen Frank Pehler  
Bertram Frederick Peterson, D.C.

## TRANSPORTATION (12)

**CHAIRMAN:** Purfeerst  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 8-10 a.m.  
**MEMBERS:**  
Bernhagen Langseth Mehrkens Purfeerst  
DeCramer Lantry Metzner Schmitz  
Frederick McQuaid Novak Vickerman

## VETERANS (9)

**CHAIRMAN:** Bertram  
**OFFICE NO:** 323  
**MEETS:** T, Th; Room 107; 10-12 noon  
**MEMBERS:**  
Beckman Laidig Lessard  
Bertram Langseth Mehrkens  
Diessner Larson Schmitz

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfearer, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

\*Capitol or State Office Building, St. Paul, MN 55155

### Senate Publications Office

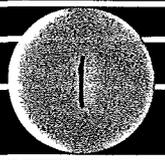
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## The Minnesota Week in Review

February 6, 1987

### Senate okays joint land registration

The Senate gave preliminary approval Thursday, February 5, to a bill allowing owners of adjacent tracts of land with a common title defect to join in one application for title registration.

The measure, S.F. 85, would reduce costs and instill efficiency in the registration process, said Sen. Ember Reichgott (DFL-New Hope), sponsor of the proposal. The Senate must take final action on the bill before referring it to the House.

The Senate continued to hold short sessions this week in order to provide the policy committees time to consider the many bills before them. While no proposals were up for debate during the Monday, February 2 session, several bills approved by committees last week were referred to other panels for review.

### Committee approves Rural Development Act

Economic Development and Housing Committee members approved S.F. 1, Monday, February 2. The Rural Development Act, authored by Senate Majority Leader Roger Moe, proposes that the Agricultural Resource Loan Guaranty Board be renamed the Agricultural Development Board and that it expand its programs to include financial assistance for agricultural production projects. The Board would also be eligible to purchase portions of loans made by lenders for certain projects.

The bill provides for the establishment of a Mineral Resources Program that would coordinate and evaluate mineral explorations activities. In addition, a Rural Development Board would be created to oversee rural development activities. The Board would coordinate a Rural Rehabilitation pilot project and a Challenge Grant program which establishes a revolving loan program in six regions of the state.

A Customized Training program would also be established to provide free education training for businesses in the rural areas. Under the bill, the Greater Minnesota Corporation would also be created to support research, development and investment in new rural businesses and products.

The bill also provides education grants for displaced rural workers, and creates the Minnesota Public Finance Authority which would provide financial assistance for infrastructure projects.

In other action, Senator Lawrence Pogemiller (DFL-Minneapolis) explained provisions of S.F. 170. The bill is a recodification of most of the local economic development laws currently in Minnesota state statute. The bill combines all of the many economic development statutes into one law. The essential purpose of the bill is to eliminate redundant language, not to make any policy changes, Pogemiller said.

No action on the bill will be taken until committee members have had the opportunity to review all of the changes.

### Funds cover lack in interest subsidy

The Finance Committee allocated nearly \$14 million Tuesday, February 3, to cover the deficiency in the farm loan interest buy-down program. The proposal, S.F. 62, does not extend the program, but pays lenders their anticipated state-funded interest on approved farm operating loans.

Last year, the Legislature provided \$5 million for the interest subsidy program. However, due to increased farmer/lender

participation, additional funds were needed, so the governor extended the program. According to bill sponsor, Sen. Charles Berg (DFL-Chokio), lenders continued to provide eligible farmers with operating loans at the subsidized rate, but only on the premise that the needed funds would be forthcoming. "If we don't do this, about \$14 million will come out of the farmers' pockets," Berg said.

The committee defeated an amendment offered by Sen. Clarence Purfeerst (DFL-Faribault) that would have extended the program to 1987. "This is the most popular program we have in Minnesota," Purfeerst said. "I think we should not only take care of the past, but prepare agriculture for the future," he added.

Committee Chair Gene Merriam said future funding of the program is not an issue that must be addressed immediately. He said the Agriculture Committee should examine the issue along with the other agricultural assistance proposals.

The measure was sent to the Senate floor for further action.

### Constitutional offices bill gains

A bill requiring a constitutional amendment question to be placed on the general election ballot in 1988 that would combine three state-wide offices gained the approval of the Governmental Operations Committee Thursday, February 5. The measure, S.F. 81, provides for the combination of the offices of the Secretary of State, the State Treasurer and the State Auditor into one office, that of State Comptroller. Committee members, chaired by Sen. Don Moe (DFL-St. Paul), heard additional testimony from Elaine Voss of the Secretary of State's Office in opposition to the bill before voting to recommend approval of the bill and re-referring the measure to the Committee on Rules and Administration. The bill is sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.).

### Wisconsin initiatives discussed

Speaker Tom Loftus of the Wisconsin State Assembly spoke to members of the Health and Human Services Committee Wednesday, February 4, and described the actions the Wisconsin Legislature has taken over the last few years in the area of human services. Loftus outlined in detail the Wisconsin initiatives in the area of child support collections.

According to Loftus, one of the more successful elements in the effort to increase the amount of child support collection was the establishment of immediate child support withholding. Increased collection of child support is instrumental in helping individuals get off of AFDC, he said. In addition, Loftus highlighted Wisconsin's efforts to help uninsured persons get medical services through state subsidized plans worked out in cooperation with insurance industry officials and governmental agencies.

Loftus also discussed another Wisconsin legislative package designed to draw attention to the problem of teen pregnancy. Loftus indicated that the "grandparent liability" provision included in the package had not been designed to be a key provision even though grandparent liability was the provision that received the greatest amount of publicity. In the course of discussion with committee members, Loftus also described at length the steps Wisconsin officials had to take to obtain the necessary federal waivers needed to implement the new initiatives.

# Committee Capsule

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## Agriculture

### Farmer-lender mediation bills heard

The Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), recommended for passage a bill which approves the deficiency allocation in the farmer-lender mediation program Fri., Jan. 30.

The bill, sponsored by Sen. Charles Berg (DFL-Chokio), would provide approximately \$1.3 million the mediation program is expected to spend by the end of this fiscal year. However, the committee members agreed that the Finance Committee should designate the exact amount to be paid, should the bill receive approval.

The legislature had allocated \$360,000 in March, 1986 to the Agricultural Extension Service to set up and administer a mandatory mediation program, which was designed to bring farmers and their creditors together to try to reach mutually acceptable repayment plans.

Kathy Magnus, Agricultural Extension's mediation program coordinator, said the 1986 law is working in that debt restructuring, financial advocacy for farmers, and in some cases, foreclosure prevention are all taking place. But, she said that the costs of managing the mediations are sapping funds from other Agricultural Extension projects and from some county budgets.

A report prepared by Agricultural Extension and distributed at the meeting outlined costs for administration, part-time agriculture professionals, training of mediation volunteers and expenses incurred by volunteers. The report also listed \$150,000 as being spent by county governments to keep the program going.

Magnus said 833 mediated agreements had been reached as of Jan. 2, 1987, as a result of the mandatory program.

Another bill, also sponsored by Berg, was discussed at the meeting. S.F. 89 would make 14 procedural changes in the Farmer-Lender Mediation Act.

Kermit Mahlum, President of the Independent Bankers Association and of the First National Bank of St. Peter, said, "Some of the changes he [Berg] recommends would improve the mediation process for both the creditor and the lender" but said that he'd like to see more changes that favor lending institutions.

Mediation volunteer LuAnn Kling, a farmer from southwestern Minnesota, also provided comments on the program.

Further suggestions on amending the mediation bill were given Mon., Feb. 2, by Ralph Keyes, attorney and legislative coordinator for the Implement Dealers Association, representatives from the Minnesota Farm Bureau, the Minnesota Farmers Union, Minnesota Groundswell, Larry Buegler, President of Farm Credit Services, Steve Erickson, Director of Erickson Mediation Institute and Jim Nichols, Agriculture Commissioner.

The hearing was scheduled to continue Mon., Feb. 9.

## Economic Development and Housing

### Bill calls for a \$24 million release

A bill that would release \$24 million from the Economic Protection Fund was presented to the Economic Development and Housing Committee by Sen. Ronald Dicklich (DFL-Hibbing), Thurs., Jan. 29.

The fund, also known as the 2002 Fund, was created in the 1970s after a study showed that the taconite industry in northeastern Minnesota would be stable for another 20 years. As a safety measure, monies from area property taxes were put into the fund to ensure on-going economic prosperity in northeastern Minnesota. The money was not to be released until the year 2002.

S.F. 122 proposes that \$24 million be drawn from the account in fiscal year 1987 to establish economic development projects that would help enhance and restore the currently deprived area.

If the money is released, about \$8 million will remain in the fund. "We're not sure we are going to use all of the money, but," said Dicklich, "we need the money now to help ourselves." If the bill is passed, the Iron Range Resource and Rehabilitation Board (IRRRB) could invest in or acquire public and/or private corporations.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), delayed action on the bill until Feb. 9, at which time Dicklich will present further information on how the money will be spent.

## Education

### H.E.C.B. presents overview

Representatives from the Higher Education Coordinating Board (H.E.C.B.) presented the Subcommittee on Higher Education, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), with an overview Fri., Jan. 30. "We are proposing an ambitious plan," said Vice President of the H.E.C.B. Archie Chelseth. Chelseth outlined the main objectives and recommendations of the organization. The H.E.C.B. recommends full funding support for state grant and scholarship programs, expanded communication initiatives, career development programs, and programs to train and retrain workers.

Dr. David Longanecker, Director of the H.E.C.B., reviewed the board's policy and budget initiatives. "Currently we have one the best grant and scholarship programs in the country, but we are still seeking new initiatives to improve the program," Longanecker said. Under new proposals the H.E.C.B. is recommending that grant eligibility expand from four to five years, work study programs be expanded, and that support continue for interstate tuition reciprocity agreements.

In addition, the board proposes to enhance information initiatives which would provide eighth grade students and their parents with information on educational opportunities beyond high school. Similar services would also be provided to minorities, the unemployed, displaced homemakers, and employers.

Longanecker also discussed post-secondary education funding policies. Prior to 1983, said Longanecker, there was no comprehensive tuition program. Today, financial aid policies promote quality, equity, efficiency and access.

### Representatives express funding concerns

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met Mon., Feb. 2, to hear funding equity concerns from representatives of numerous post-secondary education organizations.

Arlene Bush, Chair of the Association of Metropolitan School Districts (AMSB), expressed the AMSB's concern with the foundation aid formula allowance. "I find it ironic," said Bush, "that when there is so much emphasis on a commitment to excellence in the schools, we spend so much time scrambling for funds." "We," she continued, "would settle for just adequate funding."

Jennings Simpson, a representative from the Community Colleges, also discussed the need for equitable funding within the school systems. Although endorsing the Governor's education budget, Jennings said that budget cuts need to be restored, faculty salaries need to be increased, and changes need to be made with the average funding costs formula as they do not compensate for increasing numbers of students.

David Jerde, a State University representative, noted that the actual funding cost formula was created at a time when enrollment was expected to decline. "There are some real problems with that formula," said Jerde, "let's see if we can design some improvements." Jerde illustrated the need for improved funding by reporting that the number of students who do not receive financial assistance in the State University system is nearly equivalent to the enrollment at both Southwest State University and Metropolitan University.

Additional testimony was heard from representatives of the Minnesota Student Association at the University of Minnesota, the Community College Student Association, the Area Vocational Technical Institution Student Association, and the Minnesota State University Student Association. The representatives each expressed concern for improved funding allowances.

### Committee assesses future needs

"Minnesota has always had an excellent education system but we need to restructure our programs to meet the needs of the present and the future," said Department of Education Commissioner Ruth Randall. Randall reviewed the Governor's Decision Group Report

"Vision for Minnesota" at the Education meeting, chaired by Sen. James Pehler (DFL-St. Cloud), Wed., Feb. 4.

To enhance individual growth and development, the plan states that students should be provided with more opportunities to increase performance and production rates than ever before. Students need to be provided with more opportunities to develop their potential, said Randall, and this plan initiates just that. In order to fulfill these initiatives, said Randall, technology needs to be integrated with curriculum, programs need to be developed to help at-risk students, and financial incentives need to be created to encourage school district reorganization.

The plan also recommends that the student's education experience be enhanced by increasing parental involvement. If the plan is implemented, parents would be allowed to partake in the decision making process of assessing and evaluating school programs.

Similarly, Randall said, teachers and principals would be guaranteed more authority in establishing education policy. By this measure, teachers would also be enhancing their professional status, upgrading their skills, knowledge, and attitudes, she said.

Finally, the report confirms the need for adequate, stable and equitable funding allowances among school districts in the state.

Dan Loritz, Assistant Director of the State Planning Agency, also spoke to committee members and reviewed state education policy trends from 1970-1986. Loritz reported that increasing emphasis has been given to programs such as early childhood education, child abuse prevention programs, and special education programs. Loritz also mentioned that more opportunities would be available to students if school districts reorganized, providing students with the opportunity to participate in more diverse programs.

## Education Aids Committee reviews budget proposals

Education Aids Committee members met Thurs., Jan. 29, to discuss Governor Perpich's education budget. Ruth Randall, Commissioner of the Department of Education, began the discussions by remarking that the budget proposal sufficiently reflects the Department's on-going commitment to excellence, the need to assess educational programs, and the need to integrate technology with curriculum.

Ron Hackett from the Department of Education outlined the major themes of the proposed Department of Education budget. Hackett said the most significant proposal in the budget is the Governor's recommendation stressing equalization funding for foundation, retirement, transportation, capital expenditure, and referendum revenues. The budget also calls for new state and local professional development programs, new programs for at-risk students, and greater accountability for student learning programs. The Governor has also recommended a 50 percent funding increase for adult literacy programs.

Funding allocated to new programs are included in the categories of: Child, Youth, Family and Community Support; the Council on Youth; the Department of Effectiveness; and Computer Systems. Hackett noted that while the Governor's proposal provides a \$722.4 thousand for the biennium for these programs, the Department of Education had requested ten times that amount.

Close to 32 percent of the Governor's budget for fiscal year 1987 is allocated to aid for elementary and secondary education. Hackett also reported that in fiscal year 1989, aid for elementary and secondary schools will increase 45 percent over the 1987 budget. This increase will be made feasible under the Governor's proposed modifications for property tax relief. The percent of school revenues in 1989 will increase from 61 percent to 82 percent, approximately a \$600 million increase. Per student spending for fiscal year 1988 will be increased to \$3,747 (5.8 percent) and to \$3,871 (3.3 percent) by fiscal year 1989.

Gary Farland, Director of Aids and Levies at the Department of Education, reported that under the Governor's proposal, education aids general fund appropriations will increase \$329 million. Total appropriation under the proposal is \$2.9 billion, a 13.7 percent increase over fiscal year 1987. Total foundation revenue per pupil in fiscal year 1988 will increase 3.8 percent over fiscal year 1987 and will increase 2.6 percent in 1989.

## Hearings begin on education aids bill

The Education Aids Committee met on Mon., Feb. 2 to begin hearings on S.F. 166. The bill, authored by Sen. Randolph Peterson (DFL-Wyoming), provides more power on the local level in the decision making process and less funding equity disparities. "For too long," said Peterson, "there has been an emphasis on per pupil unit, not education opportunities. It's been finance driven, not education driven." Peterson hopes that by analyzing and restructuring the education aids foundation aid process, a simpler and more coherent process will develop.

To foster the efforts of making the foundation aid formulas and concepts as simple as possible, the revised formulas have been divided into four categories.

Under the general education formula, each school district would be guaranteed \$2,757 per pupil unit if they levied 32.9 mills. According to Peterson, significant transfers of wealth would be made among the school districts: 325 districts would receive more revenue; 110 would receive less.

Under the categorical reserve, 2.25 percent of the \$2,757 per pupil unit would be reserved for spending in one or more of the current categorical programs. Included in this category are programs such as Tobacco Use Prevention, Limited English Proficiency, and Arts Education.

Over fifty million dollars would be allocated to the community education formula. School districts would be guaranteed \$12.50 per person and \$20,000 per district if they levied 1.2 mills.

Under the capital expenditure formulas, \$153 per pupil would be guaranteed at a 5.0 mill levy.

## Employment Changes in worker's comp discussed

Ray Bohn, Commissioner of the Department of Labor and Industry, spoke to members of the Employment Committee Tues., Feb. 3, and said that he will present proposals in March, designed to "streamline" the delivery system of worker's compensation payments, and that he hopes to have changes in the benefits system ready by the next legislative session.

Bohn told the committee, chaired by Sen. Florian Chimelewski (DFL-Sturgeon Lake), "If people really want to do it we can get it done" and asked for support from legislators in making needed changes.

The problem with the system, often accused of being bureaucratic, is that there is a lack of "synergy" among the departments, Bohn said.

Bohn and Assistant Commissioner Jay Benanav provided an overview of the worker's compensation system. Included in the discussion was the \$46 million deficit in the Special Compensation Fund. The fund handles supplementary benefits, second injury benefits, uninsured benefits and administrative expenses. The fund is supported by twice-yearly assessments on insurers and self-insurers with a current rate of 25 per cent. The assessment was established to recover some of the funds the Department of Labor and Industry pays out to policy holders who were underinsured by their insurance companies or employing companies that write their own worker's compensation policies. Other monies paid out of the special fund are benefits in cases where there are statutory limits on liability, benefits to injured workers when there is a dispute between the employer and the insurer, and reimbursement to insurers and self-insurers for part of the benefits paid to physically impaired individuals who suffer a subsequent injury.

Benanav said the fund has operated in a deficit since the mid-1970's but that the department is currently looking at ways to decrease the deficit within the next three or four years.

## Injured workers appear before committee

The Injured Workers Compensation Subcommittee met Mon., Feb. 2, to hear from three workers who had been injured and who subsequently experienced the worker's compensation process.

Jerry Decker and James Albarado, both of the Red Wing area and Larry Buchite, Blaine, told of the problems they had encountered.

Sen. A.W. "Bill" Diessner (DFL-Afton), chair of the subcommittee, said the injured workers hearings are scheduled to be held throughout the session in an effort to learn of, and ultimately address, problems with the system.

# Committee Capsule

## Arguments raised on employer drug testing

The first half of a Senate Counsel and Research report on drug testing in the workplace, presented Thurs., Feb. 5, focused on why the tests are given, the costs involved and the arguments for and against.

Anne Knapp of Senate Research spoke of the national scope of the drug problem and how it affects productivity. Previous reports have linked substance abuse to dramatic increases in absenteeism, accidents and thefts, as well as to increased health care costs, low productivity, erosion of product quality, and increased exposure to product liability lawsuits, Knapp said.

Drug tests were instituted by the United States military in 1982 and several other public employers and many large corporations have used drug tests for economic, legal and technological reasons, according to Knapp.

Arguments supporting drug tests include employer and employee rights to a drug free work place, safety and workmanship concerns and costs to businesses from drug related theft, absenteeism, health care and low productivity were given in the report.

Opposing arguments listed in the report include inaccuracy and unreliability of the tests and laboratories, costs of conducting tests and intrusion into privacy.

## Finance

### Education division hears reports

The Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), held its first meeting Fri., Jan. 30, to review several studies conducted by the Higher Education Coordinating Board. Those studies, mandated by the Legislature, help prepare recommendations for board and legislative action.

Among the several studies conducted, one report helped the board design a loan repayment program for debt-burdened graduates of U of M's School of Public Health. Under the program, the board, from earnings of bonds issued, help medicine, pharmacy and dentistry graduates pay their student loans until their wages are economically stable.

In total, the board has recently completed over twenty studies. Those findings help shape the board's future objectives: enhancing opportunity for Minnesota students; promoting high quality post-secondary education; refining and improving financing policies; and encouraging educational support for Minnesota in times of economic transition.

### Arts board budget up for review

The Minnesota State Arts Board presented its budget proposals Wed., Feb. 4, to members of the Agriculture, Transportation and Semi-States Division, chaired by Sen. Keith Langseth (DFL-Glyndon). While the board originally requested a biennial increase of \$4.2 million, the governor's plan limits the increase to an additional \$1 million for the 1988-89 biennium.

The board is responsible for promoting the development of the arts throughout the state; fostering the development of state artists; nurturing arts in education; and promoting private/public partnerships in art contributions.

One area the board wanted additional dollars for was the grants program, which provides public services activities and educational opportunities. While the governor's plan did not meet their request, the board was given the authority to allocate their additional dollars in areas as they see fit.

Included in the governor's proposal is \$70,000 to help the board sponsor a national crafts fair. In addition to bringing revenue to the state, the fair will increase national exposure for several Minnesota artists, board members said.

In other action Wednesday, the Disabled American Veterans organization withdrew their request for state funding. According to member John Merthan, the organization is financially sound and needs no state assistance.

## General Legislation and Public Gaming

### Gambling issues up for debate

The Subcommittee on the Commercialization of Charitable

Gambling began reviewing proposals Wed., Feb. 4, designed to limit the potential commercialization of legal gambling in Minnesota. While the subcommittee was not considering specific legislation, several of the issues are likely to be debated as legislative provisions this session.

One issue Chair Marilyn Lantry (DFL-St. Paul) said must be addressed is how often an organization or hall owner may sponsor bingo games per week. Under the law, organizations may sponsor two bingo occasions weekly, and in the same time frame, bingo halls may hold up to four bingo occasions on their premise. The board must grant organizations and hall owners waivers to exceed these limits.

Another issue discussed was whether the percentage of allowable expenses for covering the cost of operating pull tabs and bingo events should be increased. Currently, net profits from these events only may be used to pay the required state tax, to cover allowable expenses and to be donated to charity. Once the tax has been paid, up to 40 percent of the remaining profit from pull tab sales may cover expenses, while the expense amount for bingo is 50 percent. One measure likely to come before the subcommittee is a proposal to raise the percentage for bingo and pull tabs by five percent.

## Governmental Operations

### Discussion on APA continues

Members of the Governmental Operations Subcommittee on the Administrative Procedure Act continued their discussion Tues., Feb. 3, on issues relating to administrative procedure. Mary Ann Hruby, executive director of the Legislative Commission to Review Administrative Rules, outlined the role of the LCRAR and answered questions from members of the Subcommittee. The LCRAR provides the legislature with a formal mechanism with which to review administrative rules, Hruby said. According to Hruby, the commission works to resolve problems arising with administrative rules and may refer issues to legislative policy committees, work directly with a specific agency or suspend rules. Deputy Revisor of Statutes Paul Marinac also spoke before the subcommittee and provided the members with a review of recent legislation relating to rulemaking by agencies.

Discussion by subcommittee members raised two additional issues—a lack of a statute of limitations in contested case actions and a lack of a central information repository for exempt rules having the power and effect of law.

The subcommittee, chaired by Sen. Darril Wegscheid (DFL-Apple Valley), will continue their work with issues relating to administrative procedure. In addition, Wegscheid announced that a revised draft of proposed legislation would be available at the next hearing.

## Health and Human Services

### Welfare reform recommendations aired

The Health and Human Services Income Maintenance and Welfare Reform Division held an organization meeting Fri., Jan. 2, in order to compare recommendations from the Commission of Welfare Reform with the budget recommendations released by the governor Tues., Jan. 27. The division, chaired by Sen. Marilyn Lantry, will undertake extensive study of income maintenance and welfare issues over the course of the session.

Steve Rhodes, staff for the Welfare Reform Commission, outlined for panel members the various findings made by the commission and the subsequent recommendations.

### Panel hears reports

Health and Human Service Committee members met Tues., Feb. 3, to hear the report of the Child Care Task Force and a progress report on Day Care Licensing Reform. The panel, chaired by Sen. Linda Berglin (DFL-Mpls.), also heard overview presentations from Commissioner Orville Pung of the Department of Corrections and from Janet Entzel, Director of Planning for Female Offenders. In addition, Commissioner Ruth Randall of the Department of Education outlined those efforts within the department that deal with human service issues.

## Judiciary

### Corporate directors liability bill heard

Members of the Judiciary Committee devoted their entire hearing Fri., Jan. 30, to discussion of a measure that would eliminate or limit a director's personal liability under certain circumstances. The measure, S.F. 35, provides that shareholders may vote to eliminate or limit an outside director's liability for damages for breach of fiduciary duty as a director. According to chief author, Sen. Ember Reichgott (DFL-New Hope), the bill addresses a problem corporations are experiencing in recruiting and retaining outside directors because of the difficulty individuals have in obtaining liability insurance.

Reichgott emphasized that S.F. 35 is a voluntary exemption of liability that must be approved by the shareholders and only exempts outside directors from lawsuits brought by shareholders, not by outside third parties, on good faith business decisions. In addition, the bill does not alter the "standard of care" provisions, she said.

The bill does not limit or eliminate liability for breach of the duty of loyalty, acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law, actions under the law involving liability for illegal distributions, transactions from which the director derived an improper personal benefit or acts or omissions occurring prior to the date when the provisions in the articles of incorporation eliminating or limiting liability become effective.

Reichgott further argued that if the bill did not gain approval, Minnesota corporations would re-incorporate in Delaware—because Delaware already has a law limiting director's liability—and that new corporations would incorporate in Delaware rather than in Minnesota.

James Hogg, Dean of the William Mitchell School of Law, speaking for the bill, stressed the importance of staying as close to the Delaware law as possible in order to reduce the likelihood of corporations incorporating in Delaware. In addition, Hogg spoke to the advantages of corporations having outside directors to provide greater breadth of knowledge, insight, talent and experience.

Joseph Olson of the Hamline Law School encouraged committee members to amend the bill to apply only to outside directors. In addition, he said that the underlying issue was really the issue of "standard of care."

Discussion on the bill will continue before the committee votes on the measure.

### Panel advances two measures

A bill prohibiting sexual discrimination in the extension of personal or commercial credit and a bill enacting the Uniform Fraudulent Transfers act were both approved at the Mon., Feb. 2, committee meeting. In addition, the panel, chaired by Sen. Allan Spear (DFL-Mpls.), discussed two more bills without taking action.

S.F. 168, authored by Sen. Ember Reichgott, prohibits discrimination in the extension of personal or commercial credit or in the requirement for obtaining credit because of sex or marital status. S.F. 97, carried by Spear, provides for the circumstances under which a creditor may set aside a fraudulent conveyance and includes transfers by debtors with the intent to delay or defraud a creditor, transfers by an insolvent who did not receive reasonable value, and transfers that make the debtor insolvent when the debtor did not receive reasonable value.

Committee members discussed, and then referred to the Criminal Law Division, a measure establishing a program under which the Crime Victims Reparation Board would make grants to local law enforcement agencies to provide emergency assistance to crime victims. Committee members were concerned that the bill would duplicate efforts by other crime victims services. The measure, S.F. 152, is sponsored by Sen. Marilyn Lantry (DFL-St. Paul). S.F. 53, sponsored by Sen. William Luther, provides for the indemnification of municipal employees for punitive damages by municipalities. Because of time constraints no action was taken on the measure.

### Divisions begin hearings

The two divisions of the Judiciary Committee held their first hearings Wed., Feb. 4. According to Judiciary Committee chair, Sen. Allan Spear, many of the bills assigned to the full committee will be

heard first in the two divisions, the Criminal Law Division and the Civil Law Division, before being heard by the full committee.

The Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), advanced two bills. S.F. 152, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), sets up a program in the Crime Victims Reparation Board that allows the board to make grants to local law enforcement agencies or crime victim crisis centers to provide emergency assistance to crime victims. S.F. 59, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), amends portions of the boating while intoxicated law enacted last year. Specifically, the measure provides that the same attorney who prosecutes misdemeanor violations under the BWI law would also be responsible for prosecuting gross misdemeanor violations. In addition, the bill amends the implied consent portion of the BWI law by altering the 12 month prohibition against operating a motorboat to the period between May 1 and October 31 over as many boating seasons as necessary. The measure also provides for administrative review, judicial review and for judicial hearings similar to provisions of the DWI law. Finally, the bill directs the proceeds from the penalty provision to the political subdivision representing the commissioner and specifies that if the penalty is not paid the person's privilege to operate a motorboat will not be renewed.

Three bills were advanced by members of the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove). The first, S.F. 87, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), includes the State Agricultural Society in the definition of "state" in the state tort claims act. S.F. 99, sponsored by Jude, provides that statutes of limitations are part of the substantive rather than procedural law relating to a claim. S.F. 157, carried by Sen. William Luther (DFL-Brooklyn Park), enacts the Uniform Statutory Rule against perpetuities.

## Local and Urban Government County issues heard

Representatives from two county government associations outlined their 1987 legislative priorities for the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), Mon., Feb. 2.

Morrie Anderson, Executive Director of the Association of Minnesota Counties (AMC), said the association supports broad-based tax reform as proposed by Gov. Rudy Perpich but would like to retain local control of property taxes.

Anderson said AMC would like to see increased state financing of human services support systems; a \$10 million increase for the Community Services Support Act; an expansion of economic development activities; a transfer of the motor vehicles excise tax from the general fund to the highway fund; a reduction in requirements whenever state or federal funds are reduced and the elimination of several insurance liabilities.

Peggy Flicker, Counsel for AMC, briefly addressed other specific issues affecting counties. In addition, Flicker said that AMC opposes any new mandates that are enacted without sufficient state or federal spending to support them and wants the legislature to establish a policy for dealing with state-initiated mandates.

Bob Orth, Executive Director of the Metropolitan Inter-County Association (MICA), presented proposals relating to the development, imposition and management of state mandates upon local political subdivisions.

Orth listed tax increment financing, transportation, waste management, funding for the Community Social Services Act, liability concerns and parks and recreation as some of the other issues which MICA will be involved with this session.

### Panel hears cities proposals

Representatives from the Association of Metropolitan Municipalities (AMM) and the League of Minnesota Cities presented their legislative concerns to the Local and Urban Committee Thurs., Feb. 5.

Vern Peterson, Executive Director of AMM, told the committee, chaired by Sen. Robert Schmitz (DFL-Jordan) that the association would prefer to keep tax increment financing for funding regional projects rather than revert to a single revenue source as has been proposed.

AMM also recommends phasing out the "green acres status" which exempts property designated as farm land from some

# Committee Capsule

property taxes. Peterson said much of the land with green acre status will never be used as farm land.

Other recommendations Peterson outlined were that the state continue to provide funding for the three city combined sewer separation program; establish a uniform rate structure for waste water treatment; continue partial funding of regional park maintenance costs; assign responsibilities for solid waste management to counties when cities cannot meet the county goals; increase funding for the Metropolitan Transit Commission and reduce the transit service mill levy.

League of Minnesota Cities Executive Director Donald Slater said the League also recommends that tax increment financing remain available for cities. He said that tax increment financing has allowed cities to carry out rehabilitation, redevelopment, housing, and economic development projects on their own initiative.

## Public Utilities and Energy Pipeline bill advances

The Minnesota Pipeline Safety Act cleared its second hurdle Tues., Feb. 3, when members of the Public Utilities and Energy Committee approved the measure and forwarded it to the next committee.

The measure, S.F. 90, sponsored by Sen. Steven Novak (DFL-New Brighton), sets forth a variety of pipeline safety measures designed to prevent the recurrence of disasters such as the July 8, 1986, pipeline fire in Mounds View. The bill provides for the creation of the Office of Pipeline Safety within the Department of Public Safety that would take over inspection of pipelines if the state gets Congressional authority to do so. In addition, the bill provides for a statewide notification center for pipeline emergencies, gives the Environmental Quality Board the authority to designate pipeline routes and requires pipeline operators to file information about the location and operation of pipelines in the state. The measure also requires local governments to develop pipeline emergency response plans.

Many of the provisions of the bill are recommendations made by the Governor's Commission on Pipeline Safety. Committee members, chaired by Sen. Ron Dicklich (DFL-Hibbing), also heard testimony from Don Pauley, Administrator for the city of Mounds View. The bill will be heard next in the Environmental and Natural Resources Committee.

## Taxes and Tax Laws

### Panel examines property taxes

The trend to increase the number of property taxes as local government funds have grown tighter has resulted in 6,000 possible tax combinations, according to Assistant Commissioner of Revenue, Dennis Erno.

Erno spoke to the Property Taxes and Local Government Aids Division of the Tax Committee Tues., Feb. 3. He outlined where Minnesota's property tax system rates in the nation, how the tax is determined, the state government's role in the system and how tax rates vary among classifications.

Erno said the property tax system, with rates set by the state, is the main source of funding for local governments.

Minnesota's property tax system, with 70 different classifications, "is the most complex in the country," Erno said, and explained that if an area has several different classifications such as business, residential and farm, that each piece of property is appraised at different rates. The system is further complicated by the state's system of nine property tax credits.

The renter's credit, which Gov. Rudy Perpich has proposed eliminating, is currently under study by the Department of Revenue to determine just who the program benefits, Erno said. The department lacks a clear objective with this credit, he said.

Division Chair Steven Novak (DFL-New Brighton) said the legislature's task this session is to decide whether to change the whole property tax system, as Gov. Perpich has proposed, or just make changes in the major problem areas.

### Sales tax examined

The Sales Tax Division of the Taxes and Tax Laws Committee heard problems encountered by grocers in working with the "split"

sales tax and received overviews of the sales tax system Wed., Feb. 4.

Joel Hoiland, Minnesota Grocers Association President told the division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), "The current sales tax system is confusing, complicated and burdensome. When changes are made in the system grocers get stuck with the tab." His major concern was with the "split" taxing system instituted in 1982. Under the statute, candy and pop are taxable items unless a customer pays for the purchases with food stamps. However, a customer using food stamps to buy, for example, two six-packs of pop would be charged sales tax on the second six-pack.

Sen. Don Anderson (IR-Wadena) urged the division to draft legislation which would simplify the split tax system.

Department of Revenue Director of Legislative Research and Planning Dorothy McClung provided some of the fact sheets the department provides to vendors to help them understand the sales tax system and described the department's audit system.

## Transportation

### Committee reviews license plate bills

Several motor vehicle license plate bills were presented to the Transportation Committee Tues., Feb. 3. Sen. Gregory Dahl (DFL-Coon Rapids), said the most cost effective and fairest law would be a lifetime motor vehicle license plate. On the other hand, Dennis Flaherty, Executive Director of the Minnesota Police and Peace Officers Association, said law enforcement officials recommend that license plates be reissued every three to four years.

S.F. 17, authored by Dahl, recommends that the state return to a system of lifetime license plates. Dahl cited a report which showed that license plates remain legible during a car's lifetime. Of most concern to Dahl is the \$4.0 million dollars that is spent on reissuing the plates. "That money," he said, "would be better used for law enforcement."

S.F. 17 also proposes that license plate fees be limited to the actual manufacture and distribution costs and that the motor vehicle registrar reimburse users the \$3 fee that was instated during the 1985 general reissuance.

Sen. Marilyn Lantry (DFL-St. Paul), on the other hand, proposed a bill which would require that license plates be reissued every six years. Dennis Flaherty testified in support of S.F. 63 stressing the need for legible plates and periodic plate changes. "From a law enforcement official's perspective," Flaherty said, "the plates are in bad shape and enforcing periodic license plate reissuance is a high priority for us." If the lifetime license plate bill is enacted into law, continued Flaherty, Minnesota could lose revenue because there would be no system to regulate who was covered by insurance and who wasn't.

Sen. Mel Frederick (IR-Owatonna), presented S.F. 55 providing for the establishment of a system of prorated fees for persons who had personalized license plates before the 1985 general reissuance. The bill recommends that persons who were required to get new license plates because of the general reissuance would pay a fee based on the actual amount of time used on the old license plates.

All three bills were referred to the subcommittee for further study.

### Committee considers parking violations

Drivers who fail to pay parking tickets would have their driver licenses suspended rather than face arrest under a plan presented to the Transportation Committee Thurs., Feb. 5.

Sen. Don Frank (DFL-Spring Lake Park), author of S.F. 72, testified that the current parking ticket system is costly and ineffective. In addition, said Frank, there are many people who feel it is appropriate to issue an arrest warrant to parking ticket violators. The bill provides that instead of issuing arrest warrants to those who abuse the system, violators' licenses be suspended.

Suggestions were offered by the Department of Transportation Division of Driver and Vehicle Services and the Maplewood Police Department but will not be considered formally until the Feb. 19 hearing.

In other action, Sen. Clarence Purfeerst (DFL-Faribault), chair of the Transportation Committee, recommended that the committee approve H.F. 66, memorializing the United States Congress to enact

an extension of the federal highway program at the earliest date possible. The committee unanimously approved the resolution.

S.F. 44, authored by Sen. James Pehler (DFL-St. Cloud), was also explained to the committee. S.F. 44 repeals language enacted in 1986 to protect certain right-of-way property in St. Cloud. The bill, if passed, would prohibit the Commissioner of Transportation to sell or dispose of land within or adjoining trunk highway 15 in St. Cloud. The committee and recommended it be placed on the Consent Calendar.

A bill changing the color from green to amber on the signal of school bus driver-activated warning systems was presented by Sen. Darril Wegscheid (DFL-Apple Valley). Wegscheid, the author of S.F. 136, testified that the color change would help reduce school bus causalities as amber signals the student to proceed with caution. The system is currently being tested in seven area school districts. Although no school bus drivers were present at the hearing, Wegscheid reported that bus drivers strongly support the color change. The bill was recommended for placement on the Consent Calendar.

## Veterans

### Service officer certification advances

A bill requiring the commissioner of veterans affairs to establish a process for certification of county veteran service officers won committee approval Thurs., Feb. 5.

According to bill sponsor, Sen. Gregory Dahl (DFL-Lino Lakes), certification would assure that the service officers are aware of all benefits available to veterans. "With the increase in the aging veteran population, the need to have knowledgeable service officers is more important than ever," he said.

Currently, veteran service officers are to be established in all Minnesota counties except Clay County. However, certification requirements are not uniform. The measure, S.F. 161, would establish uniformity in the system.

In other action Thursday, the panel okayed a resolution, S.F. 155, asking Congress and the Socialist Republic of Vietnam to take whatever action necessary to determine the fate of persons missing in action or held prisoner in Vietnam. The proposal is sponsored by Sen. Tracy Beckman (DFL-Bricelyn).

# Preview

## The Minnesota Senate Week at a Glance

**Monday, February 9, 1987**

**Education Subcommittee on Higher Education, Chair: Gregory Dahl**

8:00 AM Room 15 Capitol

**Agenda:** Presentation of Governor's budget. Post Secondary Education.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 89-Berg: Amending the farmer-lender mediation act.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 121-Frank: Seat belt penalty.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 PM Room 15 Capitol

**Agenda:** S.F. 19-Dahl: Seed Capital Fund Grants. S.F. 122-Dicklich: Releases funds from Economic Protection Fund, better know as 2002 Fund for Economic Development.

**Local and Urban Government Committee, Chair Robert Schmitz**

12:00 Noon Room 107 Capitol

**Agenda:** Presentation and overview by: Minnesota Municipal Board and Minnesota Association of Townships.

**Employment Subcommittee on Injured Workers Compensation, Chair: A.W. "Bill" Diessner**

1:00 PM Room 112 Capitol

**Agenda:** Testimony by Injured Workers and discussion of Injured Workers Compensation Program.

**Senate will be in session at 2:00 PM.**

**Education Subcommittee on Education Aids, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Public testimony on foundation aid and retirement proposals in the Governor's budget.

**Tuesday, February 10, 1987**

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107

**Agenda:** Mr. A. Meuwissen, President: MN State Workers Compensation Mutual Insurance Company, "Status Report on State Fund Mutual". Mr. Michael Markman, President: WCRA Board, "Workers' Compensation Reinsurance.

**Transportation Subcommittee on General Policy and Rural and Commercial Chair: Gary DeCramer**

8:00 AM Room 112 Capitol

**Agenda:** S.F. 17-Dahl: Lifetime motor vehicle license plates. S.F. 28-

Belanger: Personalized plates issued before 7-1-85 issued for life of holder. S.F. 34-Ramstad: Lifetime motor vehicle license plates. S.F. 55-Frederick: Initial fee to renew personalized license plates be prorated; providing for refunds. S.F. 63-Lantry: Certain license plates issued every six years. S.F. 214-Langseth: Lifetime motor vehicle license plates.

**Governmental Operations Subcommittee on Administrative Procedure Act, Chair: Darril Wegscheid**

8:30 AM Room 15

**Agenda:** Administrative Procedure Act.

**Agriculture Subcommittee on Agriculture Products-Processing Chair: Charles Berg**

12:00 PM Room 107 Capitol

**Agenda:** S.F. 69-Berg: Establishing a commercial fish raising program.

**Environment and Natural Resources Committee, Chair: Gerald Willet**

1:00 PM Room 112 Capitol

**Agenda:** Review of the Touche Ross study of the Department of Natural Resources: Bob Hansen, L.C.M.R.; Ed Eschbach, Touche Ross and Co.; Steve Thorne, D.N.R.

**Health and Human Services Subcommittee on Social Services and Government Administration, Chair: Pat Piper**

1:00 PM Room 15 Capitol

**Agenda:** S.F. 51-Berglin: Home Health Licensure. Testimony by Mike Tripple, Department of Health. Letters and public testimony will be taken.

**Wednesday, February 11, 1987**

**General Legislation and Public Gaming Committee, Chair: Bob Lessard**

8:00 AM Room 107 Capitol

**Agenda:** Presentation by: Minnesota Racing Commission, Canterbury Downs.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 105-Moe, R.D.: Permitting counties to impose levy for soil and water conservation. S.F. 137-Wegscheid: Exceptions to prohibition of manufacture of food from adulterated milk or cream. Other items may be added.

**Finance Committee Agriculture, Transportation and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Budget hearings for: Academy of Science, Racing Commission, Ethical Practices Board, and Uniform Laws Commission.

Judiciary Committee, Chair: Alan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 53-Luther: Municipal indemnification of officers, employees, for punitive damages. S.F. 59-Diessner: Boating while intoxicated amendments. S.F. 87-Chmielewski: State agricultural society tort liability. S.F. 99-Jude: Conflict of Laws - Limitation Act. S.F. 152-Lantry: Crime victims emergency assistance. S.F. 157-Luther: Statutory rule against perpetuities.

**Health and Human Services, Chair: Linda Berglin**

1:00 PM Room 15 Capitol

**Agenda:** Governor's Commission on Mental Health will present recommendations. Assistant Commissioner Allyson Ashley, Department of Human Services, Mental Health Division, will present Department initiatives on Mental Health.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 123 Capitol

**Agenda:** Budgets presented by health related boards.

**Taxes and Tax Laws Committee Property Taxes and Local Government Aids Division, Chair: Steven Novak**

3:00 PM Room 15 Capitol

**Agenda:** Review of Governor's Property Tax Proposal.

### Thursday, February 12, 1987

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** Continuation of "Drug testing in the workplace."

**Governmental Operations, Chair: Donald Moe**

8:30 AM Room 15 Capitol

**Agenda:** S.F. 206-Willet: State energy contracts. S.F. 217-Chmielewski: Permitting direct deposit of state employee paychecks in financial institutions. S.F. xxx-Pogemiller: State Board of Investments relating to state investments.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 117-Dicklich: St. Louis County off-sale liquor license (Clinton Township). S.F. 139-Dicklich: St. Louis County off-sale liquor license (Sturgeon Township). S.F. 38-Spear: Temporary wine license at auctions. S.F. 94-Davis: Itemized billing for hearing aid repairs. S.F. 211-Adkins: Alcoholic beverages; premises issued on-sale licenses. S.F. 123-Adkins: Broadening joint self insurance pool regulation exemption (Township Association).

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 PM Room 15 Capitol

**Agenda:** S.F. 170-Pogemiller: Bond Recodification. Part II of agenda to be announced.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 PM Room 107 Capitol

**Agenda:** Presentation of legislative program: Metropolitan Waste Control Commission, by Peter Meinstma, Chair.

**Senate will be in session at 2:00 PM**

**Education Subcommittee on Education Aids, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** David Tatel, Attorney, Washington D.C., re. Responsibility of state officials to desegregation. Testimony by Curman Gaines, Dept. of Ed. on: Budget and Pollution Summary, Change request summary, Federal Block Grant and other federal funds, research and development, district finance and management support, education policy and administration.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Budget overviews by the Housing Finance Agency, Pollution Control Agency, and the Waste Management Board.

### Friday, February 13, 1987

**Education Subcommittee on Education Aids, Chair: Randolph Peterson**

8:00 AM Room 15 Capitol

**Agenda:** Continuation of presentation by Curman Gaines, Dept. of Education, on agency budget.

**Finance Committee Education Division, Chair: Gene Waldorf**

10:00 AM Room 125 Capitol

**Agenda:** HECB Budget by Dr. David Longanecker.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 31-Diessner: Barring perpetrators of crimes from recovering for injuries sustained during criminal conduct.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 149-Cohen: Uniform Extradition and Rendition Act.

**Health and Human Services Subcommittee on Health and Health Financing Chair: John Brandl**

1:00 PM Room 15 Capitol

**Agenda:** Survey of Health Policy Research - Part I. Issues and Perspectives of Health Care in Minnesota: John Kralewski, Director, Health Services Research Center, University of Minnesota and Ira Moscovice, Associate Professor, Health Services Research Center, University of Minnesota.

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87, February 13



# Briefly

The Minnesota Week in Review

February 13, 1987

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## Motion to expedite farm bill defeated

The Senate defeated a motion Monday, February 9, to suspend its rules and give first and final consideration to a bill covering the \$14 million deficit in the farm loan subsidy program. The attempted move, made by Sen. Mel Frederick (IR-Owatonna), had the support of the Independent-Republican Caucus, but failed to gain DFL votes.

Republican senators indicated that they wanted to extend the program to 1987 by amending the bill. "Credit is beginning to dry up," said Minority Leader Duane Benson (IR-Lanesboro). Benson added that the Senate must act soon so farmers can plan for the spring planting season.

Chief author Sen. Charles Berg (DFL-Chokio) said he wanted the bill to proceed through the process without amendments. The Legislature should take care of the deficiency first, he said, so the state-subsidized interest anticipated by the lending institutions does not come out of the farmers' pockets.

In other action Monday, the Senate granted preliminary approval to two measures. The first, S.F. 45 (Spear) makes technical changes to the Uniform Trade Secret Act. The second measure, S.F. 97 (Spear), updates the Uniform Fraudulent Transfer Act.

## Seat belt penalty okayed

A bill authorizing a \$25 fine for violation of the seat belt law was approved by the Judiciary Committee, Monday February 9. The measure, S.F. 51, specifies that failure to wear a seat belt is a petty misdemeanor and that violators are subject to a \$25 fine.

The bill's author, Sen. Don Frank (DFL-Spring Lake Park), said that "the purpose of the bill is not to punish people but to get people to buckle up and comply with current law." He added that the current compliance rate is about 32 percent and that a compliance rate of 75 to 80 percent is needed to show a dramatic reduction in deaths and serious injury.

Discussion on the bill centered primarily on whether or not violations of the seat belt law should become part of an individual's driving record. An amendment, offered by Sen. Fritz Knaak (IR-White Bear Lake), to include violations on a person's driving record failed to gain approval. After extensive debate, a prohibition against having violations made part of person's driving record was removed from the bill. The removal of the prohibition allows the Department of Public Safety to promulgate rules that would include a violation on a person's record.

Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), did adopt amendments clarifying that the driver is responsible for the fine if the person violating the law is under age 15.

## Bill improving bus warning lights gains

A bill designed to improve school bus safety won the Senate's final approval Thursday, February 12. The measure, S.F. 136, changes

the color on the bus's student warning lights from green to amber. The lights, located near the hood of the bus, warn students to proceed with caution. According to Senate author Darril Wegscheid (DFL-Apple Valley), changing the green light to amber minimizes confusion and better informs the students to be careful before crossing the street.

The Senate granted final passage Thursday to three other proposals: S.F. 44 (Pehler) abolishes restriction on disposition of right-of-way of trunk highway 15 in St. Cloud; H.F. 45 (Spear) makes technical changes to the uniform trade secret act; and S.F. 97 (Spear) updates the uniform fraudulent transfer act.

Also Thursday, the Senate adopted its permanent rules. One change places the responsibility of designating special orders with the majority leader. Another change prevents a bill from being recalled by a majority of the Senate without the concurrence of the first author of the bill. And, a rule was instituted requiring House bills to be referred to a Senate committee, unless there is a motion by the majority leader or an objection to the bill's referral under Rule 35.

## Subcommittee approves general reissuance

The General Policy and Rural and Commercial Subcommittee of the Transportation Committee approved S.F. 63 Tuesday, February 10. The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul), mandates a general reissuance of license plates in the state effective July 1, 1987. The bill would require that license plates be reissued every six years. However, for those persons with plates less than two years old on July 1, plates would not have to be reissued for another four years.

By 1993, said Lantry, there would be only one license plate style. Currently, there are four different styles and this is of major concern to law enforcement officers who claim that the four styles make it difficult to read the plates. The bill also provides that owners with personalized license plates would pay the \$100 fee only once.

At the same time, the subcommittee rejected a bill that would mandate the state to return to a system of lifetime license plates. Sen. Gregory Dahl (DFL-Coon Rapids), author of S.F. 17, testified that Minnesotans must pay \$4 million during the six year reissuance period. This, he said, is unnecessary as studies have proven that license plates remain legible during the cars lifetime. Subcommittee members failed to approve the bill.

In other action, the subcommittee, chaired by Sen. Gary DeCramer (DFL-Ghent), approved S.F. 55. The bill, authored by Sen. Mel Frederick (IR-Owatonna), provides that the initial fee to renew personalized license plates prior to the 1985 general reissuance, be prorated. The highest fee charged would be \$92 and that would be for a person who held a personalized license plate for more than five and one-half years.

# Committee Capsule

## Agriculture

### Rural Development Act approved by committee

The Agriculture Committee endorsed the Rural Development Act, sponsored by Sen. Roger Moe, at the Fri., Feb. 6 meeting.

Included in S.F. 1 are proposals to rename the Agricultural Resource Loan Guaranty Board the Agricultural Development Board and that its programs be expanded to include funding of agricultural projects. The bill also provides for creation of a Rural Development Board and a Rural Rehabilitation pilot project.

Lawrence Collin, a farmer and member of the Governor's Council on Rural Development, the group which administers the Rural Rehabilitation Fund, spoke to the committee, chaired by Sen. Charles Davis (DFL-Princeton). Collin was concerned that under S.F. 1, the Rural Rehabilitation Fund might be used for rural projects unrelated to farming. According to Collin, the national trust fund was first made available in 1950 and has been used to fund projects such as developing new varieties of blueberries, seminars for farmers, education scholarships and developing alternate crops and markets. He said he was opposed to applying the fund all over the state for all kinds of uses.

Lee Loubee, also a member of the Governor's Council on Rural Development, Dorothy Waltz, Minnesota Association of Soil and Water Conservation Districts, Vern Ingvalson, President of the Minnesota Farm Bureau and Julie Bleyhl, Legislative Director of the Minnesota Farmers Union also spoke on the Rural Rehabilitation Fund.

### Panel approves bill amendment

The committee considered S.F. 89, which would make 14 procedural changes in the 1986 Farmer-Lender Mediation Act, Mon., Feb. 9.

Sen. Charles Berg (DFL-Chokio), author of the bill, said he revised his original bill after meeting with farmers, lenders and implement dealers.

The proposed changes of the mediation law address dealing in "good faith," seasonal use machinery, limiting debts to one mediation, raising the threshold amount when a creditor is required to send a mediation notice before enforcing a debt from \$5,000 to \$20,000, the definition of financial analyst, shortening the time frame allowed for the mediation proceedings, requiring that the debtor and creditor both provide financial information at the time of mediation, that the debtor be allowed necessary living expenses equaling what the family would obtain under AFDC guidelines, requiring that a termination statement be signed by both parties at the end of mediation and reassigning rulemaking authority from the Supreme Court to the Attorney General.

The committee approved an amendment to S.F. 89, offered by Sen. Gary DeCramer (DFL-Ghent) providing for another option in the mediation process. Under the amendment, the creditor and debtor may select and hire a professional mediator if they prefer not to work with the mediator assigned by the Agricultural Extension Service. The costs of hiring a professional mediator would be paid by the debtor and the creditor.

Harold Hutchinson and Eugene Irlbeck, both representing Groundswell, a farmer advocacy group, and Berry Freison, an attorney with Southern Minnesota Regional Legal Services, Inc., spoke to the committee on the proposed changes in the mediation law.

### Aquaculture program debated

The Agriculture Products-Processing Subcommittee heard the pros and cons of a proposal to establish a commercial fish raising program, which would include the raising of tilapia, a fish native to Africa, and the transfer of licensing aquaculture endeavors from the Department of Natural Resources to the Department of Agriculture, Tues., Feb. 10.

Sen. Charles Berg (DFL-Chokio), author of the bill and chair of the subcommittee, said part of the reason he introduced the bill was because "the DNR denied two permit applications to raise tilapia for the wrong reasons." The first reason the DNR gave was that tilapia

are not indigenous to the state and they may contaminate native fish populations. The second reason, Berg said, was that the DNR was attempting to "save investors from themselves" by making economic judgements on the profitability of raising tilapia.

Berg also said an aquaculture program would offer alternative business opportunities to farmers who have been encouraged to get into new and different markets. He said initial experiments at raising walleye fingerlings to be used for restocking lakes have been successful. He pointed out that the state imports walleye and northern fingerlings which are indigenous to Minnesota.

Two people who had applied to the DNR for permits to raise tilapia, but were denied, spoke to the committee about the efficiency and simplicity of raising tilapia. John Tersteeg, Olivia, and Richard Fagen, Granite Falls, said there would be no possibility of tilapia escaping into open waters as they would be hatched and raised within a contained building. Tersteeg said tilapia thrive at 85 degrees but cannot survive at temperatures below 55 degrees.

Dan Hartsell, a veterinarian from Alexandria, said he also was denied a permit to raise tilapia and that he supports moving licensure of commercial fish raising from the DNR to the Department of Agriculture because it is a controlled commercial venture.

Director of Operation Walleye, Cal Courneya, spoke about his group's experimentation with walleye aquaculture and pointed out that carp, a very accepted fish, also is not indigenous to the state. He provided figures which showed the profit potential in raising fish for commercial use.

Richard Hassinger, DNR Fisheries Section Chief, said the DNR encourages private fish hatcheries and economic growth but said the DNR also has to protect existing fish and wildlife. Hassinger explained, "Fishing is a big business in Minnesota representing \$700 million a year in tourist trade."

Hassinger said he was concerned that non-indigenous fish may not be compatible with indigenous fish populations and that there is the possibility of non-native fish introducing disease in open waters.

The committee will continue discussion of the bill Tues., Feb. 17.

## Committee recommends special levy and dairy bills

The Agriculture Committee approved a bill, sponsored by Sen. Roger Moe (DFL-Erskine), which would give county boards the option of imposing a one mill levy to be used for Soil and Water Conservation District projects.

Moe told the committee, Wed. Feb. 11, that "soil and water conservation districts are asked to do more with less" and cited conservation projects such as the Reinvest In Minnesota (RIM) program, water quality studies and a growing public awareness that we should be stewards of the land as reasons some counties need more funding to support their soil and water programs.

Dorothy Waltz, Supervisor of Minnesota Soil and Water Conservation Districts, said she assumed the bill was non-controversial because it is strictly an optional levy. She said some counties are already at their levying limit.

Jim Birkholz, Acting Director of the SWCD Board, provided an overview of what each county currently receives in levies and grants and the amounts which could be raised with a one mill levy.

According to Birkholz's report, Clearwater County, one of the counties which would be likely to implement the levy, could raise an additional \$39,503 for the SWCD if the bill were passed.

## Commerce

### Committee hears overview presentation

Department of Commerce Commissioner Mike Hatch discussed property, casualty and health insurance policies at the Commerce Committee meeting, chaired by Sen. Sam Solon (DFL-Duluth), Thurs., Feb. 5.

Hatch discussed property insurance policies such as market value and replacement value, noting that it is difficult to secure homeowners insurance in depressed areas of the state because replacement costs exceed market value. The Fair Access to

Insurance Requirement (FAIR) plan provides assistance to homeowners. Until last year, said Hatch, the FAIR plan only included urban areas. Now, he continued, it is extended to the rural areas.

Hatch also reviewed objectives of the Guaranty Association. If a casualty property insurance company becomes insolvent, the Guaranty Association will pay up to \$300,000 in claims. In addition, Hatch examined provisions of the Joint Underwriting Association (JUA), auto and no-fault insurance laws.

The biggest change in the insurance industry, said Hatch, is health insurance. Hatch explained that health insurance policies are structured around profit and non-profit models. Citing the Health Maintenance Organization (HMO) as an example, Hatch compared the HMO system with the Preferred Provider Organization (PPO). According to Hatch, the systems are quite similar with the exception of operating under profit and non-profit models.

Hatch also mentioned that the Federal Trade Commission is prohibited from investigating insurance agencies and that the federal government is not allowed to regulate the insurance industry. This creates problems for the state because policies are not uniform, he said.

### Panel approves liquor license bills

Members of the Commerce Committee approved two off-sale liquor license bills Thurs., Feb. 12. S.F. 117, authored Sen. Ron Dicklich (DFL-Hibbing), would allow the St. Louis County Board to issue one off-sale intoxicating liquor license in Clinton Township provided that the Commissioner of Public Safety approves the recommendation. S.F. 139, also authored by Dicklich, would allow for an off-sale liquor license in the township of Sturgeon.

The committee also approved S.F. 38, authored by Sen. Allan Spear (DFL-Minneapolis), which provides that brewer manufacturers or wholesalers may engage in cooperative advertising agreements with non-alcoholic beverage retailers. The bill also provides that cities may issue a temporary license for the off-sale of vintage wines at an auction, provided the Commissioner of Public Safety approves. However, the bill states that the off-sale auction may last no longer than three consecutive days and that no more than 600 cases of wine be sold.

A bill authorizing cities to issue on-sale intoxicating liquor licenses to bowling centers was also approved by the committee. The bill, S.F. 211, authored by Sen. Betty Adkins would prevent cities from issuing their own liquor licenses to bowling centers, which they have been doing since 1934 without the statutory authority to do so.

Adkins also presented S.F. 123 that was approved by the committee. The bill would exempt the Minnesota Association of Township Insurance and Bond Trust from the self insurance pool regulation and from the requirement to hold a certificate from the Commissioner of Commerce proving that the association is authorized to act as a surety.

A final bill approved by the committee provides that hearing aid companies be required to itemized billings for hearing aid repairs. The bill, S.F. 94, authored by Sen. Charles Davis (DFL-Princeton), was approved by the committee.

## Economic Development and Housing

### Office of Tourism gives overview

Members of the Economic and Development Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Feb. 5, to hear an overview presentation from the Minnesota Office of Tourism Director Hank Todd. According to Todd, the Office of Tourism has been very successful in the past few years promoting leisure and business travel year-round in the state. The economic impact on the state, said Todd, has been profound.

According to information provided by the office, tourism inquiries have increased from 65,472 in 1976 to 610,466 in 1986. In 1976 there were 3,030 visitor inquiries and 71,001 in 1986. In 1985, tourists spent close to \$5.3 billion in the state, 6.6 percent more than in 1984. These expenditures generated \$278.1 million in state tax revenue and 109,500 jobs within the state.

Much of the success can be attributed to promotional strategies and activities, said Todd. The "Minnesota Explorer" seasonal newspaper was first distributed in the Fall of 1985. According to Todd, "the popularity of the newspaper was measured in a record breaking year of tourism inquiries."

The Office plans to extend its promotional activities into the international market and on the national level, by focussing advertising campaigns in the cities of Chicago, St. Louis, Omaha, Sioux Falls, and Indianapolis.

In other action, Director of the World Trade Center Rick Nolan briefed panel members on the current status of the controversial World Trade Center. Funds are sufficient, said Nolan as he discussed how the Center is being financed. He indicated that the World Trade Center did not intend to be state subsidized forever, and that they are not seeking additional state appropriations because it is expected that the center will become self-sufficient within 18 months. Nolan stated that with 466,000 square feet of office space and 153,000 retail space available, the center expects its initial annual net income to reach \$100,000 and increase to \$300,000 shortly thereafter. Nolan also reported that 60 percent of the retail space has been rented and 38 percent of the office space is full.

### Committee considers capital seed plan

Sen. Gregory Dahl (DFL-Coon Rapids), presented the Economic Development and Housing Committee Mon., Feb. 9, with a bill that would establish a rural capital seed fund program to help assist small businesses acquire equity interests. Dahl explained that seed capital is an extension of venture capital programs. While venture capital programs typically invest in an excess of \$1 million, seed capital programs phase in at an earlier stage of the business and investments are usually around \$25,000. The intent of this program would be to start up and help new businesses in the state. The new businesses will, at some point, account for over 50 percent of new jobs in the state, Dahl said. He also indicated that if the creation of the Greater Minnesota Corporation under S.F. 1 is passed, the capital seed fund could be merged with it. If S.F. 1 does not become law, the capital seed program would be under the Department of Energy and Economic Development.

No action was taken on the measure, S.F. 19, pending the preparation of amendments drafted to satisfy constitutional concerns the committee raised.

In other action, Sen. Ron Dicklich (DFL-Hibbing), continued the discussion on the Economic Protection Fund bill that would release \$24 million to improve economic conditions in northeastern Minnesota. Specifically, the money would go to help finance Endotronics, a company that manufactures equipment to produce cancer-fighting cells and which plans to build a facility in Hibbing. The money would be controlled by the Iron Range Resources and Rehabilitation Board (IRRRB) and would help locate the company in Hibbing. According to Dicklich and representatives from Endotronics, there are also private investors interested in the company.

Sen. Don Frank, chairman of the Economic and Development Committee, criticized the company's efforts by unveiling information he had received concerning the financial activities and integrity of the company. According to Frank, his sources say there are serious concerns that Endotronic products do not do what they say they can. Frank also questioned the company's investment of \$5 million in a building located in Albuquerque, NM when it only rents its facilities in Coon Rapids.

Dicklich refuted Frank's accusations saying that he and the IRRRB had studied the company's history and that they were well aware of these reported discrepancies.

The committee delayed action on the bill but will consider it again within two weeks.

## Education

### Committee examines composites science degree

The Subcommittee on Higher Education, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Fri., Feb. 6, to briefly review provisions of the governor's post-secondary education budget. According to Ron Hackett, from the Department of Finance, the

# Committee Capsule

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proposal supports the University of Minnesota's Commitment to Focus plan, funding for research, technical job training, and financial assistance initiatives. Hackett reported that the Governor's recommendation provides post-secondary systems with a \$70 million base budget increase — 8.3 percent over the current biennium.

In other action, Sen. Steve Morse (DFL-Winona), presented the committee with a plan to establish an undergraduate baccalaureate degree program in Composites Science and Engineering at Winona State University. According to a survey conducted by industrial organizations, governmental agencies, and engineering societies, said Winona State University President Tom Stark, there is a critical need in the state and in the country to integrate composites science studies with engineering programs. Composites science, said Stark, is the study of materials consisting of combinations of fibers and/or other solid materials dispersed in a matrix material. Stark also noted that Winona is recognized nationally as the Midwest center of advanced composite manufacturers and that there is a high demand in Winona for a program that would complement the needs of the manufacturers.

The committee took no action on S.F. 141 but expects to consider the bill further.

## Committee reviews post-secondary budget

An overview presentation of the governor's post-secondary education budget was heard by members of the subcommittee on Higher Education, Mon., Feb. 9. Jay Kiedrowski, Commissioner of Finance, discussed the governor's commitment to continue improving the higher education finance system. According to Kiedrowski, prior to 1983, efforts included improving average cost funding initiatives, developing a targeted financial aid system, and increasing per student funding. In 1985, legislators reaffirmed these major policy initiatives but also expressed a need for higher education systems to define and clarify their roles as educational institutions. This mission differentiation, adopted in 1985 by the legislators, said Kiedrowski, places a lot of emphasis on the University of Minnesota's Commitment to Focus plan. Also included in the governor's recommendation is a plan to improve quality assessment initiatives. By this measure, each post-secondary education system will be expected to present a plan for quality and instructional assessment in the fall of 1987. By the fall of 1988, the schools would be expected to begin measuring quality assessment within each system.

Ron Hackett of the Department of Finance, outlined funding needs to support repair and replacement funds for post-secondary buildings. Under the Governor's budget, agency managers would be given greater responsibility in assessing priorities and needs to repair and upkeep buildings in their own jurisdiction and would attempt to avoid debt costs for repair and replacement projects.

Hackett also discussed policy initiatives of the work study budget that recommends students increase work study expectations. The plan proposes that students work more hours to fulfill their financial obligations. "It's ironic that while we are focussing on a commitment of excellence in the post-secondary systems, we are also asking students to do more than ever," commented Dahl. Hackett responded by saying that work study programs would be made more available and more programs such as child care would be provided.

Other budget items reviewed by Hackett were financial aid options, child care programs, University of Minnesota hospital non-instructional costs, and the phasing-out of the Post-High School Planning Program and the Optometry and Osteopathy Contracting Program.

## Committee examines Rural Development Act

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met Wed., Feb. 11, to discuss provisions of the Rural Development Act relating to education.

The bill, S.F. 1, authored by Senate Majority Leader Roger Moe (DFL-Erskine), provides greater economic development initiatives in rural Minnesota. In addition, the measure provides a Customized Training Program for new or expanding businesses designed to

benefit low-income persons.

The bill would also create the Greater Minnesota Corporation. The Greater Minnesota Corporation would match grants relating to research and development projects at post-secondary institutions.

In addition, the bill would authorize the Higher Education Coordinating Board (HECB) to establish a grant program for displaced workers in rural areas of the state. This would allow displaced workers to attend public post-secondary institutions, at the cost designated by the institution. The HECB would also be required to provide displaced workers with information on post-secondary education opportunities and financial assistance programs.

Discussion on the bill will continue before the committee votes on the measure.

## Education Aids

### Teacher pension plans reviewed

Members of the Education Aids Subcommittee, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Thurs., Feb. 5, to discuss the teacher retirement aids budget. According to Larry Martin, Executive Director of the Pension Commission, teacher pension plans in Minnesota are perceived as "strong and healthy," from a national perspective. Martin examined the four teacher pension plans in the state, one statewide and three local, and the concepts that are used to determine funding allowances.

Senate Researcher Joel Sutter discussed changes and increases in teacher retirement costs. Sutter noted that in 1975-76 teacher retirement costs totaled \$93,532,000 and increased to \$206,967,000 in 1984-85. These costs have not been increasing because of an increased number of staff, but because of increased salaries, he said. Salaries have doubled, he continued, because public school teachers have become more professional and have advanced to a higher level of training and experience over the years.

Tom Melcher, from the Education Aids and Levies Division at the Department of Education, noted that under the Governor's proposal, the categorical aid would be eliminated from the Teacher Retirement Association (TRA) fund and FICA beginning in fiscal year 1988 and would be folded into the foundation program. This would make it possible for a redistribution of tax levies among school districts. The equalizing factor would be increased as well as the formula allowance and all tier levies would be reduced, he said. The budget also recommends that levies increase in districts with above average TRA/FICA aid per pupil unit and levies decrease in districts with below average TRA/FICA aid per pupil unit in FY 1987.

Melcher also noted that the TRA/FICA funding allowance would remain the same at \$1,700 for fiscal years 1988 and 1989. The TRA/FICA Guarantee would increase from FY 1987 to \$214 in FY 1988 to \$220 in FY 1989. There would also be an increase for TRA/FICA inflation costs from \$18 in FY 1988 and \$24 in FY 1989. Additional increases in the formula allowance would total \$16 in FY 1988 and \$54 in FY 1989. Total recommended formula allowance for TRA/FICA would equal \$1,948 in FY 1988 and \$1,998 in FY 1989.

### Officials air funding concerns

The Education Aids Subcommittee met Mon., Feb. 9, to hear public testimony on the Governor's proposed foundation aid and retirement budget. Dick Welch, from the Minnesota Rural Education Association (MREA), testified that the MREA applauds the Governor's efforts to address funding equity concerns, but feels that the budget does little to narrow the disparity gap among school districts. Currently, said Welch, there is a \$662 disparity in TRA funding. The MREA recommends that the gap be reduced to \$200.

The Governor's budget starts to address equity concerns, but doesn't deal with them, said Rose Hermodson from the Minnesota Federation of Teachers. Hermodson said that the Governor's proposal projects no salary increases or TRA increases. This lack of new money, said Hermodson is a major concern because it will have to be decided if it is to be the salaries or the student programs that suffer.

Carl Johnson from the Minnesota School Boards Association (MSBA), stated that the MSBA also doesn't think the Governor's proposal solves funding equity problems. Like others who testified, Johnson doesn't know if there is new money for elementary and secondary education in the budget.

Barb Baker from the Association of Stable or Growing School Districts also expressed concern that the lack of money in the budget may support teacher pension funding plans but deprive instruction funding. Baker also stated that it still isn't clear how the budget will change school district wealth.

"The proposed budget increase of 13.7 percent is actually 5.84 percent," said Minnesota Education Association (MEA) representative Ken Bresin. Bresin expressed the MEA's concern that funding equity doesn't necessarily mean equal funding and that the proposal encourages TRA to become a part of the collective bargaining process.

Representatives from the Minnesota Association of School Administrators and the Association of Metropolitan School Districts also testified and applauded the Governor's efforts of attempting to address funding equity concerns but said they are discouraged by the insignificant amount of new money in the budget proposal.

## Employment

### Subcommittee hears from injured workers

Four injured workers spoke to the Injured Workers' Compensation Subcommittee, chaired by Sen. A.W. "Bill" Diessner (DFL-Afton), Mon., Feb. 9.

Dean Poole, Albert Lea; Gary Anderson, Bloomington; William White, Mahtomedi; and Linda Borgio, Minneapolis; each described how they obtained their injuries and their dissatisfaction with the workers' compensation system.

Anderson, who had received a back injury, said he was terminated from his union job of 15 years because he could no longer perform stock work. He also claimed that the insurance company, the doctor recommended by the company and a lawyer were all in collusion with the employer in denying Anderson the full insurance and workers' compensation benefits to which he was entitled.

White, also unhappy with his insurance settlement, said "I hope the committee will find answers some way." White had received back and chest injuries.

Because he had collected \$1,000 in compensation benefits as the result of an arm injury, Poole received a ten per cent insurance rating. Following another injury, Poole's insurance rating was raised to 40 per cent. He said the rating system automatically discourages prospective employers from considering him for work.

### Insurance funds studied

The State Fund Mutual Insurance Company, created in 1983 as part of the Workers' Compensation Act, "is in place now and it's working," said Sen. Florian Chimelewski (DFL-Sturgeon Lake) when the Employment Committee met Tues., Feb. 10.

Chimelewski, chair of the committee, said another appropriation, in addition to the initial \$5.7 million appropriation to the state insurance company, will be brought before the legislature for consideration this session.

Andy Meuwissen, President of State Fund Mutual, provided the committee with a status report of the insurance company's first three years of operation.

He described the company as a non-profit, low expense vehicle for delivering workers' compensation coverage.

The company has written 3,000 policies since its inception, and, Meuwissen said, "we have grown on our own and to do that you have to be selective." Meuwissen said that clients may be turned down based on their history of paying out claims, catastrophic exposure, or difficult exposure situations. He said the company has turned down employers requesting coverage including some trucking and restaurant businesses. He said, "To grow we cannot take everybody," and added that the company wants to offer coverage at low cost.

Meuwissen said the company has a small surplus now and plans to expand coverage when the surplus has grown more. He explained that the company is only able to handle small claims at

this time and that several townships will be covering their employees through the company beginning March 1.

Michael Markman, President of the Workers' Compensation Reinsurance Association Board, provided the committee with an overview of reinsurance.

WCRA, a non-profit association funded by premiums collected from members, provides reinsurance protection at a reasonable cost, according to Markman. Insurers and self-insurers, as a group, pay premiums to a large corporation which in turn covers large workers' compensation claims, many of which can exceed \$10-\$15 million, Markman said.

Insurers or self-insurers may purchase \$170,000 or \$370,000 retention rates. Analogous to an automobile insurance deductible, the insurer would pay a higher premium if they purchased the lower retention rate.

Markman said the association operates "as close to break even as it possibly can given the volatile situation" and the large amount of finances handled. He said he does not anticipate requesting any changes in the system this session.

## Environment and Natural Resources

### Study suggests DNR changes

A study of the Dept. of Natural Resources conducted by the accounting firm of Touche Ross supported no major reorganization of the department, but suggested some agency improvements and management changes. The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), reviewed the study Tues., Feb. 10.

According to Touche Ross, one area the department needs to improve is its public responsiveness efforts. In doing that, the Regional Administrators should begin reporting directly to the Commissioner and become responsible for coordinating the DNR's public response within each region. Assistant Commissioner Steve Thorne said the department has made that organizational change. In addition, he said, the department will enhance employee training in public relations.

Touche Ross also recommended improving department operations in the Fish and Wildlife and Waters divisions. The study found most complaints from DNR clientele were in these areas. In addressing the problem, the study suggested that an Assistant Commissioner of Operations position be created to enhance management's efforts in improving divisional performance.

The divisions of Parks, Trails and Waterways, and Recreational Planning should be combined to "develop a strategic direction for the state's outdoor recreation services and to achieve operation efficiencies," the study suggested. Thorne said the department agrees with strengthening a leadership role for outdoor recreation, but that the recommendation is not the best way to achieve that goal.

## Finance

### State Departments hold public hearings

The Finance Division on State Departments began public hearings Thurs., Feb. 5, on the governor's proposed budgets for various state agencies. Chaired by Sen. Carl Kroening (DFL-Mpls.), the division will be meeting during the coming weeks before beginning the allocation process. Thursday, members reviewed budgets for the offices of Secretary of State and Governor, Board of Investment, Dept. of Finance, and Dept. of Military Affairs.

The governor recommended for the Secretary of State's Office a biennial budget of \$3.4 million for the biennium, which is short of the \$4.1 million requested. The office asked for the additional funds because it experienced a 33 percent increase in filing volume since 1986. According to the office, the increase in volume and public demand for services is difficult to meet with existing personnel. Additional dollars would be used to add staff and increase efficiency.

The Dept. of Finance also failed to gain the governor's okay on its funding request. While the agency asked for \$16.2 million for the biennium, the governor limited the appropriation to \$15.7 million. As for the governor's office, no additional staff or funds were

# Committee Capsule

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requested except increases resulting from costs due to inflation and higher fees for participation in the National Governor's Association. The governor's recommended biennial budget is \$4.5 million.

The State Board of Investment would receive a General Fund appropriation of \$3.2 million for 1988-89 and the Dept. of Military Affairs would receive \$12.9 million under the governor's budget.

The Finance division will begin its own allocations after public review of the budget proposals is complete.

## Semi-states continues review

The Division on Agriculture, Transportation and Semi-State Agencies continued reviewing budget proposals Wed., Feb. 11, for the 1988-89 biennium. Chaired by Sen. Keith Langseth (DFL-Glyndon), the division heard requests from the Academy of Science, Uniform Laws Commission, Ethical Practices Board, and the Racing Commission.

It has been eight years since the Academy of Science received a budget increase from the state, and under the governor's proposal, levels of funding again would not change. The organization requested an increase of \$43,900 over the current biennium to add a full-time staff position and improve its science advocacy efforts. However, the governor, in his endeavor to contain state spending, disapproved of the Academy's \$85,000 request and okayed an appropriation of \$41,200.

The governor appropriated \$3.74 million for the Racing Commission; however, only \$1.8 million stems from the general fund. Among the approved increases, \$48,000 is provided for a racing analytical laboratory; \$48,000 for security, licensing and investigation services; and \$24,000 for a contract seasonal veterinarian.

The Uniform Laws Commission and the Ethical Practices Board both received the same level of funding under the governor's budget plan. The Uniform Laws Commission, which helps develop model legislation for member states, received \$27,200 for the biennium. The board's general fund appropriation for 1988-89 is \$439,600.

## Health boards outline coming budgets

The Health and Human Services Division opened its public hearings Wed., Feb. 12, on the governor's budget proposal by reviewing requests from Minnesota's health-related licensing boards. These boards, ten in total, receive no money from the general fund, but are required to adjust their fees to cover their anticipated expenditures for the fiscal biennium.

The appropriation proposal by each board is based on their estimated expenditures; salary and rent annualization; indirect costs; and their requests for increased spending and positions. When additional spending is approved, the boards must adjust or increase their fees to cover the costs. All boards are responsible for licensing and registration of practitioners, investigating complaints and disciplining licensees and registrants. Some boards also approve educational programs and license or register businesses or facilities.

Among the requests for increased spending, the Medical Examiners Board asked for an additional \$708,500 for FY '88 and \$738,900 for FY '89 and 4 additional positions. The increase is to aid the board's efforts in identifying and disciplining problem physicians. The Board on Pharmacy requested an increase of \$140,800 for FY '88 and \$124,300 for FY '89 and 3 positions. This request, however, hinges on legislation proposing the identification of all drug outlets in the state to established a state-controlled registration system.

The division will not take action on these requests until later this session.

## General Legislation and Public Gaming

### Zoo board legislation advances

A bill increasing the size of the zoo board from 15 to 30 and requiring the members to be confirmed by the Senate won

committee approval Fri., Feb. 6. However, bill sponsor Bob Lessard (DFL-Int'l. Falls) said he may remove the provision requiring Senate review of the appointees if the zoo board "makes improvements."

While the zoo board supports an increase in their membership, chairman Len Snyder said Senate confirmation could discourage the recruitment of board members. Snyder explained that the board needs more qualified members to assist their efforts in securing private support of the zoo.

In addition, the legislation, S.F. 167, states that the Dakota County Board recommend to the governor one nominee who is a resident of the county. Current law only requires that the county board be consulted on one appointment, but the provision doesn't require the county's recommendation to be submitted to the governor.

In other action Friday, zoo officials outlined the impact of the governor's budget proposal. The governor cut the zoo's request of \$9.5 million for 1988-89 by \$2.5 million. According to zoo officials, this would force them to close several attractions, including the entire marine exhibit.

Action concerning zoo funding will take place in the Finance Committee.

## Canterbury Downs issues aired

"Termination of the pari-mutuel tax will relieve Canterbury Downs of what is now double taxation, once on gross receipts off the top and again on profits at the bottom line." That was the message Stan Bowker, Vice President and General Management of Canterbury Downs, delivered to the committee Wed., Feb. 11. The horse racing facility is seeking removal of the tax so it may retain more revenue.

Bowker criticized the media for characterizing the track's request as a tax break. "Just about every newspaper story or television report which talks about our proposed legislation blurts out the news that we are asking for a tax break. Let me emphasize today, we are not asking for a tax break. We are asking for equal treatment under the law."

The unfair treatment, Bowker contended, is that the state adds the pari-mutuel tax on the facility's gross receipts, which is the amount being wagered.

"In addition to the pari-mutuel tax we generate, we also pay \$2.2 million in property taxes, all of the normal business-related taxes and, if and when we start making a profit, we will be taxed again. We have a new industry which really is just asking for fair tax treatment."

In addition, Canterbury Downs would like the Legislature to increase the amount set aside from pari-mutuel betting for the purse distribution. Bowker said this would help the facility compete with other major tracks in the Midwest.

The committee did not consider any legislation addressing these concerns; however, proposals may be forthcoming.

## Governmental Operations

### APA changes debated

The Subcommittee on Administrative Procedure Act met Tues., Feb. 10, to continue their discussion on proposed changes in rulemaking and contested case proceedings under the Administrative Procedure Act. The subcommittee, chaired by Sen. Darril Wegscheid (DFL-Apple Valley), heard testimony on draft legislation that incorporates many of the suggestions heard in previous subcommittee meetings. Of chief concern, thus far, have been the issues of defining "substantial change" and of the necessity of making any changes in the contested case proceedings contained in current law.

Gary Johnson of the administrative law section of the Minnesota Bar Association, urged the subcommittee members to address the issues of the use of exemptions, the need to publish administrative law court decisions and the use of legislative policy statements to circumvent the Administrative Procedure Act.

Subcommittee members also discussed the problems arising from the legislative granting of emergency rulemaking authority.

Wegscheid indicated that finalizing the draft would be the goal of the next subcommittee hearing.

## State employee direct deposit bill gains

A bill permitting state agencies to make direct deposits of employees paychecks to credit unions and other financial institutions was approved by the Governmental Operations Committee Thurs., Feb. 12, and re-referred to the Finance Committee. The measure, S.F. 217, would be of benefit to state employees because the deposits would be credited immediately to the employees' account, said chief author Sen. Florian Chmielewski (DFL-Sturgeon Lake). Roy Muscatello of the Statewide Accounting Department said that the Finance Department neither supported or opposed the bill, but that there are cost implications for the department should the measure become law.

In other action, committee members, chaired by Sen. Don Moe (DFL-St. Paul), discussed a bill that would make several changes in the laws relating to the State Board of Investment. The measure, S.F. 314, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), would alter the Board's investment authority by increasing the limit on equity investments to no more than 85 percent of the value of a fund and increasing the limit on alternative investments to no more than 35 percent of the value of a fund. The measure also grants the Board the authority to purchase high-yield debt obligations and foreign securities as alternative investments. Howard Bicker, Executive Director of the State Board of Investment, explained the three policy changes as well as five more technical changes to the current law contained in the bill. Because of time limitations, the bill was laid over for further debate.

## Health and Human Services

### Welfare reform talks continue

The Income Maintenance and Welfare Reform Division met Fri., Feb. 6, to continue their discussions on suggested avenues for welfare reform. The division, chaired by Sen. Marilyn Lantry (DFL-St. Paul), heard from Charles Schultz of the Department of Human Services, and discussed the various initiatives put forth by the department. Lantry, speaking on behalf of the division members, indicated that the panel was eager to begin work on specific legislative proposals in the near future and that the overview hearings would give way to discussion on bills before the division.

### Home health care licensure bill gains

A bill requiring the licensure and regulation of home health care providers was the sole topic before the Subcommittee on Social Services and Government Administration Tues., Feb. 10. The measure, S.F. 51, sponsored by Sen. Linda Berglin (DFL-Mpls.), also provides for a bill of rights for home health care clients, sets forth definitions of "home care service" and the types of services that fall under the definition, provides for informational and referral services and sets forth the licensing requirements.

Representatives from a variety of groups and organizations, ranging from the Headwater Area Agency on Aging to the Minnesota Nurses Association, testified in support of the bill. No one spoke in opposition to the measure. The subcommittee, chaired by Sen. Pat Piper (DFL-Austin), endorsed the bill and forwarded it to the full committee. Berglin did indicate that an amendment including hospice licensure would be offered at a later hearing.

### Mental health system concerns discussed

Representatives from the Governor's Commission on Mental Health and the newly appointed director of the Department of Human Services Mental Health Division, Allyson Ashley, appeared before the committee to outline proposals for improving Minnesota's mental health system, Wed., Feb. 11. Norma Schleppegrell, chair of the commission, and commission members William Conley and Susan Lentz made the presentation on behalf of the commission. The commission listed five legislative initiatives that they consider critical to improving the state's mental health system.

The first contains recommendations for a comprehensive mental health system that would coordinate an array of required mental health and supportive services including emergency services,

community support, outpatient services, community residential treatment, education and prevention and hospital and regional treatment center services. The proposal also recommends \$14 million in new funding to insure meeting client needs while providing for the most efficient use of federal and state dollars.

A second proposal would create the office of deputy commissioner for mental health, provide the office with the necessary authority to oversee and coordinate all mental health services and create a 25 member mental health advisory council. The proposal would provide a focal point of administrative and professional leadership. Third, the commission recommends the creation of an office of ombudsman for mental health to ensure accountability in the mental health system. Fourth, the commission recommended requiring coverage under group policies and group subscriber contracts of at 80 percent of the first 10 hours of outpatient mental health treatment per year and, subject to prior authorization, at least 80 percent of 60 additional hours of outpatient treatment.

Finally, the commission is recommending the replacement of diagnosis related groupings with negotiated per diem rates for medical assistance and general assistance medical care reimbursement for mental illness.

Allyson Ashley, director of the mental health division outlined the department's goals by highlighting five immediate tasks. First, Ashley indicated that the division would step up communications with other agencies in state government to prevent duplication of efforts. Secondly, the division is committed to improving the quality of adult residential facilities, she said. In addition, Ashley said the division would improve the coordination with Rule 14 community support services and address concerns raised by a Legislative Auditor's report about coordination between programs. Finally, Ashley said that the division was determined to maximize the effect of federal dollars. Ashley also previewed future issues. A basic tenet underlying the divisions efforts, Ashley said, is to make sure we have a unified accountable system for the mentally ill. Legislation is not being developed with the counties in mind, or with the providers in mind, but with the needs of the clients in mind, she said.

## Judiciary

### Directors' liability bill debated

Discussion continued on H.F. 34, the bill to limit or eliminate the liability of corporate directors, at the Fri., Feb. 6, meeting of the Judiciary Committee. The measure, carried by Sen. Ember Reichgott (DFL-New Hope), allows shareholders to vote to eliminate or limit a director's personal liability to the corporation or its shareholders for money damages for breach of their fiduciary duty as a director. The bill does not eliminate liability under other circumstances. According to Reichgott, the aim of the measure is to help corporations attract and retain outside directors.

The committee meeting, chaired by Sen. Allan Spear (DFL-Mpls.), was devoted almost entirely to hearing testimony on the bill. Consideration of amendments and action on the bill were delayed because of time constraints.

### Municipal employee indemnification debated

Committee members devoted most of the Wed., Feb. 11, hearing to discussion of a measure that provides for the indemnification of municipal employees for punitive damages. The measure S.F. 53, sponsored by Sen. William Luther (DFL-Brooklyn Park), also limits the liability of an officer or employee of a municipality for punitive damages to one-half of the general limits on municipal liability. The bill requires municipalities to defend and indemnify for punitive damages in cases where the officer or employee was acting in the performance of the duties of the position and was not engaged in malicious or wanton conduct. Finally, the bill repeals a provision passed last year that prohibits indemnification for punitive damages. No action was taken on the measure pending further discussion.

In other action, committee members endorsed two bills. S.F. 87, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), includes the State Agricultural Society in the definition of "state" for purposes of the state tort claims act. S.F. 59, authored by Sen. A.W.

"Bill" Diessner (DFL-Afton), amends the boating while intoxicated law to clarify that the attorney who is responsible for prosecution of misdemeanor violations is also responsible for the prosecution of gross misdemeanor violations. The measure had contained several additional provisions but was amended, by committee members, to contain only the language clarifying the jurisdiction language.

## Local and Urban Government

### Panel hears overviews

Dave Fricke, Executive Director of the Minnesota Township Association and Terry Merritt, Executive Director of the Minnesota Municipal Board, presented overviews of their organizations to the Local and Urban Government Committee chaired by Sen. Robert Schmitz (DFL-Jordan), Mon. Feb. 9.

Fricke said the association, with 1,800 townships as members, was founded in 1933. Townships, as local governing boards, maintain 60,000 miles of roadways and 3,600 bridges and various access roads, parks and recreation facilities throughout the state.

The state townships' \$89 million operating budget is stretched to the limit in fulfilling required responsibilities, Fricke said. Because of state mandates and the recent loss of \$6 million in federal revenue sharing grants, property taxes were raised on average, from 43 per cent up to 60 per cent of the total property levy.

Fricke said issues the association plans to bring before the legislature this session are land use control, cemeteries and abandoned lots, access roads, elections of township officers, open meeting and weed inspection laws and review of shoreline management, water resource management and pollution rules which affect townships.

The major concern of municipalities currently is boundary adjustment, according to Merritt.

He said increased cooperation with other local governments is needed in dealing with lands that are being developed adjacent to a municipality. Annexation petitions are heard frequently along with the subsequent environmental, health, and access to city services issues, Merritt said.

## Taxes and Tax Laws

### Panel hears property tax proposals

John Haynes, Assistant Commissioner of the Department of Revenue, told the Property Taxes and Local Government Aids Division that the Legislature "will have to deal with serious flaws in the property tax system sooner or later."

Haynes told the division, chaired by Sen. Steven Novak (DFL-New Brighton), when it met Wed., Feb. 11, that "There may even be better ways than the way we're proposing changing it through the Governor's plan."

He explained that under the proposal, the tax classifications would be reduced from 68 to 5; that local government aids and state property tax credits would be combined into a single education credit and distributed to local governments, school districts and counties; and that the credit could be shifted into many different classifications, including various kinds of property tax relief at the local governments' discretion.

Haynes said that by consolidating the various classes of tax credits and allowing local governments to shift the aids among different property classes will put property tax assistance where it's needed. He said local governments would receive the same amount with the one education credit as they currently receive from the variety of property tax credits and aids.

Revenue Commissioner Tom Triplett said the Legislature would be delegating spending authority to local governments. He said, "We think it is inappropriate that the state government has almost total control over property taxes" and added that the present system encourages overspending by local governing bodies.

Sen. Charles Berg (DFL-Chokio) told Triplett he was concerned that the proposal would eventually increase the burden on taxpayers. Triplett's response was that "we would not want to assume that we're increasing any property taxes." Berg said he agreed with the move to reform the property tax system but added

that he did not agree with all of the elements in the proposal. He said the Legislature needs to revise the system during this session, "If not with this program, then some other one."

Sen. Jim Gustafson (IR-Duluth) said he also supports an overhaul of the property tax system but added that he was concerned that under the proposal school districts would be at great risk if another recession came along.

## Transportation

### Panel hears overview from Regional Transit Board

The Transit Subcommittee of the Transportation Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Thurs., Feb. 12, to hear presentations and an overview of the Regional Transit Board (RTB).

RTB Policy Chairman, Commissioner Todd Lefko, discussed the organization's efforts focussing on assessing transit services, implementing and planning policy, and defining statutory goals.

Lefko mentioned that there have been some recent economic concerns with the Rideshare program. The organization has expended a lot of money on the program and has seen some positive impacts. However, said Lefko, because corporate involvement has been low and gas prices have dropped in the last year, the RTB is currently evaluating the program.

John Capell, Chief Administrator of the Metropolitan Transit Commission (MTC), gave a brief overview of the organizational structure of the MTC. Capell discussed the MTC's 1986 labor contract settlement noting that the contract cost employee and employer's less than one percent. According to Capell, the contract was received favorably and service productivity is improving because of the increased number of part-time drivers.

Arnie Entzel, Vice President and Business Agent Local 1005 of the Amalgamated Transit Union said that some serious problems could develop if the the RTB continues to attempt to dismantle the MTC. Entzel believes that instead of concentrating on dismantling the MTC, the RTB should concentrate on enhancing services the MTC already provides.

Dick Graham, Executive Director of Dakota Area Resources and Transportation for Seniors (DARTS) spoke to panel members in strong favor of the ability non-profit organizations can provide to the public. DARTS, a non-profit organization, provides services to the elderly and handicapped in Dakota County. Sixty-five percent of DARTS activities, said Graham, are transportation related. According to Graham, in 1987, DARTS will provide close to 100,000 rides to the elderly and the handicapped.

Medicine Lake Lines Vice-President Jim Johnson also spoke to panel members. Johnson recommended that the transportation system be segmented in order to ensure lower rider costs and more riders. Johnson also suggested that when bus fare rates are raised, parking lot rates also be raised in downtown areas. This, said Johnson, would maintain and balance the transportation system.

## Veterans

### Bill transfers hospital to vets dept.

The committee advanced a bill Thursday, Feb. 12, transferring control of the Moose Lake State Hospital to the commissioner of veterans affairs. The intent of the measure, S.F. 226, is to allow the commissioner to convert part of the hospital into a veterans home.

Under the plan, the commissioner of veterans affairs would enter into a contract with the department of health to provide services for the mentally ill, mentally retarded, chemically dependent and other hospital residents. Bill sponsor Florian Chmielewski (DFL-Sturgeon Lake) said the population within the state hospital will continue to decline. He said the proposal would "accommodate the rising need" for providing senior veterans with care.

In other action, the panel advanced a bill extending the AVTI tuition exemption for all veterans of the Vietnam era. According to Senate Counsel, the measure could cost the state \$2.7 million for the coming biennium. The proposal, S.F. 151, sponsored by Chair Joe Bertram (DFL-Paynesville), was referred to the Finance Committee.

# Preview

## The Minnesota Senate Week at a Glance

Monday, February 16, 1987

**Education Subcommittee on Higher Education**, Chair: Gregory Dahl

8:00 AM Room 15 Capitol

**Agenda:** HECB Legislative reports, Dr. David Longanecker, Ph.D., Director.

**Agriculture Subcommittee on Agricultural Credit**, Chair: LeRoy Stumpf

10:00 AM Room 112 Capitol

**Agenda:** S.F. 395-Davis: Providing programs for interest reductions on farm operating loans.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** H.F. 34 - S.F. 35-Reichgott: Modifying the liability of corporation directors.

**Economic Development and Housing Committee**, Chair: Don Frank

12:00 PM Room 15 Capitol

**Agenda:** David Speer, Overview of DEED. S.F. 122-Dicklich: Releases funds from Economic Protection Fund, better known as 2002 Fund for Economic Development.

**Local and Urban Government Committee**, Chair Robert Schmitz

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 201-Dahl: Anoka County; bonds for capital improvements. S.F. 11-Chmielewski: fire protection district; Moose Lake. S.F. 22-Chmielewski: Levy tax for county historical society.

**Employment Subcommittee on Injured Workers' Compensation**, Chair: A.W. "Bill" Diessner

1:00 AM Room 112 Capitol

**Agenda:** Trial and Defense Lawyers testimony relative to Injured Workers' Compensation.

**Senate will be in session at 2:00 PM.**

**Education Subcommittee on Education Aids**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** Aids Budget re: Transportaion Aid, capital expenditure and debt service, and interdistrict cooperation (includes ESCU's).

**Finance Committee State Departments Division**, Chair: Carl W. Kroening

3:00 PM Room 125 Capitol

**Agenda:** Budget overview of the Supreme Court and court system.

Tuesday, February 17, 1987

**Employment Committee**, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 56-Chmielewski: Relating to Workers Compensation. Mike Hatch, Commissioner of Commerce will speak on the assigned risk plan, special compensation fund.

**Governmental Operations Subcommittee on Oversight of the 1985 Jobs Act**, Chair: Lawrence Pogemiller

8:00 AM Room 123 Capitol

**Agenda:** Update on the implementation of the 1985 Jobs Act.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 25-Benson: Specifying colors of slow moving vehicle emblems. S.F. 55-Frederick: Refunds or reissuance of personalized plates. S.F. 63-Lantry: Six year license plates. S.F. 72-Frank: Suspension of drivers' license for failure to pay parking fines.

**Governmental Operations Subcommittee on Administrative Procedure Act**, Chair: Darril Wegscheid

8:30 AM Room 15 Capitol

**Agenda:** Review of the Administrative Procedure Act.

**Agriculture Subcommittee on Agriculture Products-Processing**, Chair: Charles Berg

12:00 PM Room 107 Capitol

**Agenda:** S.F. 69-Berg: Establishing a commercial fish raising program.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1-Moe, R.D.: Rural Development Act. S.F. 90-Novak: Pipeline Bill.

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 AM Room 15 Capitol

**Agenda:** Department of Human Services Initiatives on Health Care and proposed budget adjustments. Survey of Health Policy Research Issues and perspectives on health care in Minnesota as it pertains to the uninsured. Ira Moscovice, Associate Professor, Health Services Research Center, University of Minnesota will give the presentation. Department of Health - Kathy Burek will present the initiatives on health care. Children's Defense Fund - Luanne Nyberg, Director, will talk about the uninsured families and children.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 125 Capitol

**Agenda:** AVTI report and budget presented by Joe Graba.

**Waste Management Commission**, Chair: Gene Merriam

7:00 PM Room 125 Capitol

**Agenda:** Recommendation of LCWM regarding appropriations from: the Environmental Response Compensation and Compliance Fund, Landfill Contingency Action Fund, and Landfill Abatement Fund. Presentation by PCA of Task Force Report of Financing and Oversight of Wastewater Treatment Facilities.

Wednesday, February 18, 1987

**General Legislation and Public Gaming Subcommittee on Commercialization of Charitable Gambling**, Chair: Marilyn Lantry

8:00 AM Room 107 Capitol

**Agenda:** Proposed legislative changes governing charitable gambling.

**Education Committee, Chair: James Pehler**

8:30 AM Room 15 Capitol

**Agenda:** State Curriculum Requirements, Don Johanson, Dept. of Education. Planning, Evaluating and Reporting Requirements; Model Curriculum Expectations; and Assessment Bill McMillan, Dept. of Ed. State PER Committee report, Dr. Ken Kelsey, Ph.D., Chair.

**Agriculture Subcommittee on Agricultural Credit, Chair: LeRoy Stumpf**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 395-Davis: Providing programs for interest reductions on farm operating loans.

**Finance Committee Agriculture, Transportation and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Budget Hearings for: Charitable Gambling Board, Municipal Board, Horticultural Society, and the Science Museum.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 96-Spear: Premarital Agreements. S.F. 264-Spear: Disability discrimination in education.

**Elections and Ethics Committee, Chair: Jerome Hughes**

11:30 AM Room 107 Capitol

**Agenda:** Continuation of Humphrey Institute report: How MN Legislators View Their Legislature, by Dr. Charles Backstrom, Professor of Political Science.

**Health and Human Services, Chair: Linda Berglin**

1:00 PM Room 15 Capitol

**Agenda:** S.F. 51-Berglin: Home health licensure. S.F. 15-Chmielewski: M.A. Payment recovery upon death. Report from Interagency board on Quality Assurance and report on one member pre-admission screening team - Pam Parker, Department of Human Services. Moratorium Task Force report and study of geographic grouping for nursing home reimbursement - Linda Sutherland, State Planning Agency.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 123 Capitol

**Agenda:** Mayo Budget presented by Dr. Roy S. Rogers and Dr. Robert F. Avant. MN Job Skills Partnership budget presented by Monica Manning.

**Waste Management Commission, Chair: Gene Merriam**

7:00 PM Room 125 Capitol

**Agenda:** Proposed legislation to amend the Waste Management Act.

**Thursday, February 19, 1987**

**Governmental Operations Committee, Chair: Donald M. Moe**

8:30 AM Room 15 Capitol

**Agenda:** Continuation of S.F. 314-Pogemiller: State Board of Investments. S.F. 281-Merriam: Relating to deputy registrars.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 307-Brandl: Requiring automatic disconnect on automatic phone dialing devices. S.F. 184-Spear: Regulation of automatic phone dialing devices. S.F. 148-Cohen: EFT law to terminals on premises.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 PM Room 15 Capitol

**Agenda:** S.F. 19-Dahl: Seed capital fund grants. S.F. 82-Dahl: Providing for the certification of venture capital companies, etc. S.F. 170-Pogemiller: Bond Recodification.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 PM Room 107 Capitol

**Agenda:** Presentation of the Metropolitan Agencies Consolidated Financial Report.

**Senate will be in session at 2:00 PM**

**Education Aids Subcommittee, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Agency Budget re: Instruction. Aids Budget re: Expectations, Education Effectiveness and Technology (includes PER and Assessment).

**Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg**

3:00 PM Room 107 Capitol

**Agenda:** S.F. 73-Benson: Bow Licenses; non-resident students. S.F. 207-Dahl: Permits; possession of wildlife.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 125 Capitol

**Agenda:** Budget Overview of the Dept. of Health

**Finance Committee State Departments Division, Chair: Carl W. Kroening**

3:00 PM Room 123

**Agenda:** Budget overviews of the State Auditor's Office and DEED.

**Tax Committee Sales Tax Division, Chair: LeRoy Stumpf**

3:00 PM Room 15 Capitol

**Agenda:** Governor's Sales Tax proposals.

**Joint Finance and Appropriations Education Divisions, Chair: Gene Waldorf**

4:00 PM Room 112 Capitol

**Agenda:** Student concerns by coalition of student associations.

**Friday, February 20, 1987**

**Education Subcommittee on Education Aids, Chair: Randolph Peterson**

8:00 AM Room 15 Capitol

**Agenda:** Continuation of Aids Budget Re: Expectations, Education Effectiveness and Technology (includes PER and Assessment).

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Budget Hearings for: Dept. of Commerce, Board of Accountancy, Board of Architecture, Engineering, Land surveying and Landscape Archt., Board of Barber Examiners, Board of Electricity, P.O.S.T. Board, Board of Abstractors, Voyageurs National Park Citizens Council, and Boxing Board.

**Finance Committee Education Division, Chair: Gene Waldorf**

10:00 AM Room 125 Capitol

**Agenda:** State University system reports and budget, by Dr. Robert Carrothers.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 232-Cohen: Victims rights: notice provision application, impact statement at sentencing, data privacy. S.F. 286-Spear: Gross misdemeanor theft, property damage; degrees of check forgery; maximum misdemeanor, gross misdemeanor bail; petty misdemeanor fine increase; gross misdemeanor for repeat misdemeanor assault.

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**Health and Human Services Subcommittee on Health and Health****Financing**, Chair: John Brandl

1:00 PM Room 123 Capitol

**Agenda:** S.F. 86-Piper: Hospital Administration Organ or Tissue Donation. S.F. 43-Diessner: Hospital Administration Organ or Tissue Donation. Prepaid demonstration project report by Bob Meyer, Department of Human Services.**Health and Human Services Committee Income Maintenance and welfare Reform Division**, Chair: Marilyn Lantry

1:00 PM Room 15 Capitol

**Agenda:** Joseph Samargia, Commissioner of Dept. of Jobs and Training, Joseph Graba, Director of State Board of Vocational Tech. Ed.**Finance Committee**, Chair: Gene Merriam

3:00 PM Room 123 Capitol

**Agenda:** Overview of Capital Budget.**For further information or last minute additions please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088**

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**Branches of government**

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

**How a bill becomes law**

The first step of the lawmaking process is to transform an idea into a specific proposal for a law. The proposal may be for a new law, for changing current law or for repealing a law. The proposal may originate from a variety of sources: individuals, public interest groups, state agencies or businesses.

In bicameral legislatures, a bill must pass both bodies and be signed by the governor of the state.

Before a bill can begin to be processed through either of the two houses, it must be given its first formal "reading." The first reading occurs when the bill is introduced, given a file number and assigned to a committee for study.

The committee chairman decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of legislation. Any person may testify on any bill.

After weighing all the testimony and thoroughly examining and discussing the pros and cons of the bill, the committee members may take several different courses of action. They may vote to: recommend that the bill be passed and sent directly to the House or Senate floor; approve the bill to the floor or another committee without a recommendation for passage; keep it in committee indefinitely or simply defeat it.

Members of the committee can change a bill. These changes are called amendments. The members may recommend that the bill be amended to improve it or to reach a compromise among the bill's proponents and opponents.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body for discussion and consideration. Floor amendments are considered and a

preliminary vote on the bill is taken. If approved, the bill is laid over for at least twenty-four hours before being considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Legislature, a bill must pass the Senate and the House of Representatives in identical form to become a law. If a measure does not go through in the same form, a conference committee is established consisting of both senators and representatives to work out a final version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the executive office, where it faces another test. The governor may sign the bill into law, veto it, or allow the bill to expire without signing it. A veto may be overridden if both houses repass the bill with a two-thirds majority vote.

**Minnesota Legislature**

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

**Information Services**

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**Service for hearing-impaired**

The Minnesota Senate has initiated a new service for the hearing impaired. Located in Senate Index, the new TDD telecommunications service allows deaf persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the new service is (612) 296-0250.

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# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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# Briefly

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## Deficiency funds for buy-down program okayed

A bill authorizing a \$14 million appropriation to make up a deficiency in the agricultural interest buy-down program was given preliminary approval by the Senate Monday, February 16. S.F. 62, authored by Sen. Charles Berg (DFL-Chokio), covers the deficit incurred as of December 31, 1986, by the farm loan interest subsidy program.

An amendment, offered by Minority Leader Duane Benson (R-Lanesboro), to extend the program for an additional year was defeated on a 20-42 vote. Speakers opposing the amendment argued that a separate bill, currently in subcommittee, addressed the issue of extending the program and that by allowing the committee process to operate a better bill would result.

Senators also granted preliminary approval to two additional bills. The first, S.F. 168, authored by Sen. Ember Reichgott (DFL-New Hope), clarifies that the prohibition against discrimination on the basis of sex or marital status in the extension of credit applies for both personal and commercial credit. The second measure, S.F. 87, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), includes the State Agricultural Society in the definition of state for purposes of tort liability.

## Subcommittee approves pipeline bill

The Environmental Protection Subcommittee okayed a measure Tuesday, February 17, strengthening pipeline safety measures. The bill, S.F. 90, contains many of the recommendations offered by the governor's commission, which was formed shortly following the Mounds View pipeline tragedy.

The proposal establishes an Office of Pipeline Safety within the Dept. of Public Safety, and current safety functions are transferred to that office. In addition, the office would coordinate emergency response efforts and provide safety training. If authorized by the federal government, the Dept. of Public Safety would enforce federal pipeline safety laws and oversee testing of pipelines. Furthermore, the department would adopt rules, as allowed by federal law, establishing safety standards, remote shut-off valves, and emergency response procedures.

The bill also creates an emergency notification center, which would serve as a one-call response unit for pipeline emergencies. And, the Environmental Quality Board would issue routing permits for new pipelines.

## Rural Development Act clears hurdle

The proposed Rural Development Act, which provides economic development initiatives for Minnesota's rural areas, earned the consent of the Subcommittee on Environmental Protection Wednesday, February 18. However, subcommittee members disapproved of a provision transferring the wastewater treatment program from the Pollution Control Agency to the suggested Minnesota Public Finance Authority.

The bill, S.F. 1, sponsored by Majority Leader Roger Moe, creates a Rural Development Board to coordinate rural development activities and to provide technical services to organizations in rural areas. The board would be responsible for the "Challenge Grant Program," which establishes grant funds in six rural regions of the state. The funds, to be administered by nonprofit organizations, would be used to provide revolving loans and equity investments in

new and expanding businesses in rural Minnesota. The board also would be responsible for Rural Rehabilitation Project grants to organizations supporting farm-related rural development projects.

The proposal also creates the Minnesota Public Finance Authority to assist state or local jurisdictions in the financing of infrastructure capital projects. Originally, the bill transferred the wastewater treatment grants to the authority to promote the construction of wastewater treatment facilities, which are essential for economic development. However, Sen. Gene Merriam (DFL-Coon Rapids) successfully removed this provision. He said the switch would place a greater emphasis on economic development than environmental protection when choosing which project to fund. "I'm concerned that we do not tamper with a process that is correct and, I think, doing a good job for the environment," he said.

## Home health care licensure gains

A bill requiring the licensure and regulation of home health care providers was approved by members of the Health and Human Services Committee, Wednesday, February 18. The measure, S.F. 51, authored by Committee Chair Linda Berglin (DFL-Mpls.), also establishes a bill of rights for home care clients, provides for definitions of home care service, requires the Office of Health Facility Complaints to handle home care complaints, provides for an information and referral service and provides for an appropriation for the regulation of home care services.

An amendment that includes the licensure of hospice programs in the measure was the focus of most of the debate on the bill. The amendment, which was adopted, provides definitions and sets forth the license requirements for hospice programs. The bill was referred to the Finance Committee for further action.

The panel also approved a measure, S.F. 15, allowing counties to recover medical assistance payments upon the death of the recipient. The bill, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows recovery from the estate of the surviving spouse after the spouse's death or in the case of a single recipient, from the estate of the recipient. The bill was forwarded to the Judiciary Committee.

## Corporate directors liability bill wins

A measure that would eliminate or limit a corporate director's liability under specific circumstances was given preliminary approval by the full Senate Thursday, February 19. The measure, H.F. 34, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides that shareholders may vote to eliminate or limit a directors liability for damages for breach of fiduciary duty as a director. According to Reichgott, the bill attempts to address the problems corporations are having in recruiting and retaining outside directors because of the threat of lawsuits by shareholders and the difficulty in directors have obtaining liability insurance.

The measure does not exempt directors from lawsuits by outside third parties, nor does the bill alter the "standard of care" provisions in current law. In addition, Reichgott argued that the bill is necessary because the state of Delaware already has a law limiting directors' liability and there is a danger that Minnesota corporations will reincorporate in Delaware or that new corporations will incorporate in Delaware rather than in Minnesota.

# Committee Capsule

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## Agriculture

### Farmer-lender mediation changes approved

After eight hours of testimony and discussion devoted to a bill amending the Farmer-Lender Mediation Act, the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), recommended passage of S.F. 61, Fri., Feb. 13. The committee also approved eight amendments to the bill, sponsored by Sen. Charles Berg (DFL-Chokio).

All but two of the amendments served to clarify the language of the bill. One major change was an amendment offered by Sen. Dennis Fredrickson (R-Morgan) to shift the rulemaking authority from the Attorney General to the Dept. of Agriculture. In Berg's bill, the rulemaking authority had been shifted from the Supreme Court to the Attorney General.

Another amendment which passed, offered by Sen. Steven Morse (DFL-Dakota), allows farmers to mediate repayment schedules more than once with certain creditors if a mutual agreement among both parties was not reached. Berg and Sen. Joe Bertram (DFL-Paynesville) were opposed to the amendment because they felt it would prolong the mediation process.

Attorney General Hubert Humphrey III spoke to the committee and commended the bill in general, but said he was opposed to several elements including: raising the threshold at which a lender must agree to mediate a past due payment from \$5,000 to \$20,000; changing the time frame for mediations from 60 days after the first mediation meeting to 60 days after the debtor is served the mediation notice; requiring that both the lender and creditor sign a termination agreement; and that debts for seasonal use machinery be exempt from the mediation process.

No amendments were made to directly address the concerns.

Ralph Keyes, Legislative Counsel for the Implement Dealers Association, disagreed with Humphrey on the last point. "The dealers are not 'fat cats'. They're in very tough shape," Keyes said.

Keyes said that implement dealers depend on credit from lending institutions and that if their debts are not met, they also will continue to go out of business.

### Interest buy-down discussed

Sen. Charles Davis (DFL-Princeton), outlined his proposal to extend the interest buy-down program to the Agriculture Credit Subcommittee, chaired by Sen. LeRoy Stumpf (DFL-Plummer), Mon., Feb. 16.

S.F. 395 would continue the interest buy-down program first introduced in 1985 and extended through 1986. The new plan calls for extending the program for two more years and includes the Farmers Home Administration as a source of interest payments.

Under the proposal, farmers who are denied an interest buy-down from the FmHA may still be eligible for state funding of interest payments on operating loans.

The bill establishes two programs. Program 1 requires that the lender buy-down the interest cost at a rate which is at least the difference between three percent per year and the amount written down by the FmHA for guaranteed operating loans. Program 2 requires that the lender buy-down the interest cost at a rate which is at least three percent per year. Under both programs, the state will buy-down the interest cost at a rate of two percent per year on a maximum loan of \$100,000, the farmer must attend approved farm management courses and the lender must pay half the tuition costs of the courses.

As outlined by Davis, the commissioner of commerce will give priority of buy-down payments to farmers with an approved loan from FmHA in previous years.

The maximum a farmer could receive in interest buy-down payments would be capped at \$2,000 for each of the two years.

### Aquaculture discussion continues

DNR Fisheries Dept. Chief Richard Hassinger told the Agriculture

Products—Processing Subcommittee, chaired by Sen. Charles Berg (DFL-Chokio), Tues., Feb. 17, that the fish hatchery permit system is "designed to protect the genetic integrity of native fish populations." He said the DNR is concerned that Berg's bill, S.F. 69, which proposes an aquaculture program in the state, including the raising of a non-indigenous fish, tilapia, could pose a threat to native fish populations. Berg's bill also proposes moving the fish hatchery licensing authority from the DNR to the Dept. of Agriculture.

Hassinger said the DNR has taken a position in opposition to the bill. If the state allowed the raising of tilapia, it would open the door to other non-native, exotic fish, Hassinger said.

Berg said that because tilapia would be raised in entirely self-contained units, there is no chance that the fish could escape into open waters. He also said the DNR regulations make it very difficult to obtain private walleye raising licenses.

Dr. Ira Adelman, head of the Dept. of Fish and Wildlife at the University of Minnesota, presented a report by Dr. Anne Kapuscinski, Assistant Professor, Dept. of Fish and Wildlife and an aquaculture extension specialist at the University.

Kapuscinski wrote that "Major technological breakthroughs, such as genetically engineering fish to grow very fast in cold water, are needed to make food fish production profitable." The report also stated that the DNR should remain the licensing authority for aquaculture endeavors.

No action was taken on the bill.

### Buy-down extension approved

The Agriculture Credit Subcommittee approved S.F. 395, a bill authored by Sen. Charles Davis (DFL-Princeton), which proposes extending the interest buy-down program for farmers for two more years. , Wed., Feb. 18.

During hearings held Wed., Feb. 18 morning and evening, the panel, chaired by Sen. LeRoy Stumpf (DFL-Plummer), made four amendments to the bill. The first provides that farmers will not be required to attend farm management courses unless the lender feels it would be beneficial. The second specifies that the lender will be paid a \$50 fee for each application they process for a farmer. The third provides that the acceptance for applications is retroactive to Jan. 1, 1987. The fourth allows the state to commit funds for the program for two years after the FmHA has agreed to commit funds for at least two years.

## Commerce

### Committee approves telemarketing regulations

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved a bill that would regulate automatic phone dialing devices in the state. The bill, S.F. 184, authored by Sen. Allan Spear (DFL-Mpls), prohibits callers from delivering prerecorded or synthesized voice messages, unless the receiver has knowingly or voluntarily requested the message.

The bill requires that the prerecorded messages be preceded by a live operator who would disclose the identity of the caller, the purpose of the message, and identify the goods or services being promoted. In addition, the bill prohibits callers from using an automatic dialing device that is not designed to disconnect within ten seconds after the subscriber has terminated the call. Exceptions to the regulations include schools calling to remind parents and students that school attendance is mandatory, and employers calling to notify employees of their work schedules.

Testimony in support of the bill was heard from Norine Olson-Elm from the Attorney General's office who noted that 30 states already have automatic dialing device regulations. Other proponents included representatives from the Direct Marketing Association, the Minnesota Retail Merchants Association, and Northwestern Bell.

The committee also approved two other bills. S.F. 148 (Peterson, R.W.) makes technical changes in licensing exceptions for architects,

land surveyors, engineers, and landscape architects. S.F. 148, (Cohen) permits electronic financial terminals to be installed on the premises of financial institutions.

## Economic Development and Housing

### Panel hears IRRRB overview

Members of the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Feb. 12, to hear an overview presentation from Gary Lamppa, Commissioner of the Iron Range Resources and Rehabilitation Board (IRRRB).

According to Lamppa, the IRRRB was created in 1941 when northeastern Minnesota was recognized as one of the six "permanently depressed areas" in the United States. The purpose of the IRRRB, he said, was to establish economic rehabilitation projects and programs in the area to prevent further economic disparity and to encourage economic prosperity. Projects to be developed included: mineral research, forestry, taconite, agriculture, and tourism. Lamppa noted that while the taconite industry eased economic pressures in northeastern Minnesota for some time, the IRRRB has now been forced to look beyond the iron mining industry for economic support.

Among the incentives initiated by the IRRRB has been a renewed emphasis on tourism and the development of the viable wood products industry.

In other action, Sen. Lawrence Pogemiller (DFL-Mpls.), continued to review provisions of S.F. 170. The bill is a recodification of most of the local economic development laws currently in Minnesota state statute. According to Pogemiller, the bill does not attempt to make any substantial changes in existing law with the exception of two provisions in the Housing and Redevelopment Authority law.

No action will be taken on the bill until the review process is completed.

### Committee approves economic protection fund release

The Economic Development and Housing Committee gave approval to S.F. 122, Mon., Feb. 16. The bill, authored by Sen. Ron Dicklich (DFL-Hibbing), authorizes the release of \$24 million from the Economic Protect Fund to help improve economic conditions in northeastern Minnesota by assisting Endotronics, a company that manufactures cancer-fighting cells, finance a manufacturing plant in Hibbing. According to Dicklich and representatives from Endotronics, the facility in Hibbing would provide nearly 1,350 jobs by 1989 if the Endotronics treatment proves to be effective. Research on the product is currently being conducted.

The release of \$24 million, which would leave a remaining \$8 million in the fund otherwise known as the 2002 Fund, would be controlled by the Iron Range Resources and Rehabilitation Board (IRRRB). Dicklich noted that funds from the account would not be taken out all at once and that the expected payback time would be between five and ten years.

In other action, the committee heard an overview presentation on Minnesota's current economic status from David Speer, Commissioner of the Department of Energy and Economic (DEED). The Minnesota economy is suffering from the effects of national and international competition trends in the marketplace, said Speer. As a result, he reported, these market changes have had adverse effects on areas such as northeastern Minnesota where the mining industry employment has fallen from 17,300 persons in 1979 to 6,400 in 1986. Similarly, the farming industry has suffered severely. According to Speer, in 1985, nearly 30,000 state farmer's were faced with extreme financial difficulties.

Speer cited several reasons why natural market forces will not solve current Minnesota economic disparities. The first problem he noted, is an on-going lack of information. This, he said, results in lost opportunities because businesses do not know how to expand their companies or market their products. Speer noted capital market failures as another problem in the marketplace. This type of

failure is most likely to occur in rural communities as businesses continue to refrain from taking risks because of potential failure. A third factor contributing to the failure of market stimulation is in the area of acute economic distress. As economic disparities continue to grow, Speer said, it becomes more and more difficult to retain businesses. And finally, Speer noted that the lack of infrastructure restricts economic development — infrastructure development and rehabilitation is mandatory to accommodate new or expanding businesses.

Speer recommended that the state overcome these deficiencies by promoting tourism and Minnesota products in addition to expanding international trade opportunities for Minnesota businesses. These efforts can be accomplished by DEED's on-going commitment to provide information to help shape business location decisions, said Speer. In addition, DEED is committed to focus its attention on providing local communities with services to encourage economic growth and prosperity, Speer noted.

Priorities and goals of DEED over the next four years include: building partnership with Minnesota communities and businesses; focusing on Greater Minnesota community development; and encouraging more diverse and stable community economic development.

## Education

### Committee approves Rural Development Act

An Education Committee meeting, chaired by Sen. James Pehler (DFL-St. Cloud), was held Fri., Feb. 13, to continue discussions on S.F. 1. The bill, authored by Senate Majority Leader Roger Moe (DFL-Erskine), provides economic development initiatives in rural Minnesota. Among the provisions of the bill relating to education, the bill would establish a Customized Training Program for new and expanding businesses in rural areas of the states. In addition, the bill would authorize the Higher Education Coordinating Board to establish a grant program for displaced workers in rural Minnesota. The bill would also create the Greater Minnesota Corporation which would match grants relating to research and development projects at post-secondary institutions.

After brief discussion, the bill was unanimously approved by the committee and re-referred to the Environment and Natural Resources Committee.

### HECB presents assessment reports

Members of the Subcommittee on Higher Education, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Mon., Feb. 16, to review several studies conducted by the Higher Education Coordinating Board (HECB). The studies were conducted at the request of legislators to assess the quality of education and future planning objectives and needs among Minnesota post-secondary education systems.

The first study reviewed by Dr. David Longanecker, Director of the HECB, was an analysis of the Post-High School Planning Program. The program was created to provide students with information on post-secondary education opportunities. Under the governor's budget proposal, however, the program has been recommended to be eliminated.

The HECB has requested \$518,000 for fiscal year 1988 and \$909,000 for FY 1989 to improve the effectiveness and the efficiency of services provided by the HECB to the schools and the post-secondary systems.

The second study reviewed by Longanecker was an information initiative status report. According to Longanecker, the HECB targets its messages to potential students by producing and distributing promotional literature suggesting what courses students ought to take before leaving high school, what financial assistance programs are available, and what future educational opportunities are available. The 1985-1986 study conducted by the HECB found that 83 percent of the students surveyed felt the literature provided ample information on post-secondary education opportunities and 75 percent said they knew more about financial aid opportunities after reading the materials.

# Committee Capsule

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Longanecker mentioned that the Governor recommended no policy or financial changes for this program.

Another study reviewed by Longanecker focussed on information technology instruction. Longanecker said that the study found a significant interest among post-secondary education institutions to advance technology uses. The IIECB has recommended that the state provide financial incentives to the systems that encourage and develop plans for information technologies.

A final study presented by Longanecker was an evaluation of a program established to stimulate businesses development through cooperative efforts in local communities. According to Longanecker, the program has been successful in combining local resources with businesses. Longanecker also noted that the centers have generated some income but more time is needed before the centers become self-sufficient.

## Committee studies curriculum requirements

Required curriculum offerings for elementary and secondary schools were reviewed by Dick Mesenburg of the Department of Education at the Education Committee meeting, Wed., Feb. 18. Mesenburg noted that balanced curriculum offerings for elementary schools include: one-third communications/language arts; one-third mathematics, art and music; and one-third science, social studies, physical education and health. Local school boards, he said, make sure the schools abide by these regulations. Mesenburg also reviewed the minimum state requirements secondary students must meet before graduation.

Dr. Ken Kelsey, Chair of the Planning, Evaluation and Reporting (PER) program, reviewed the PER State Curriculum Advisory Committee's recommendation for the State Board of Education. PER has recommended that the Board of Education develop and implement a curriculum review program and adopt as many as 20 critical learner outcomes. In addition, PER recommends that the Minnesota Statewide Assessment Program develop a variety of examination procedures that measure student performance on critical learner outcomes. Kelsey also reported that the PER recommends that local standards be established for the critical learner outcomes so as to encourage community involvement in the local school districts.

Editor's Note: S.E. 141, presented to the Subcommittee on Higher Education Fri., Feb. 6, authored by Sen. Steven Morse (DFL-Dakota), to establish an undergraduate baccalaureate degree program in Composites Science and Engineering at Winona State University, was approved by the subcommittee.

## Education Aids

### Panel discusses desegregation issues

Members of the Education Aids Division chaired by Sen. Randolph Peterson (DFL-Wyoming), met Thurs., Feb. 12, to hear testimony from Washington, D.C. attorney David Tatel, an authority on the role of state governments' involvement with school desegregation.

Tatel said that when the courts first got involved in school desegregation, pupil reassignment deficiencies occurred. To make up for these deficiencies, said Tatel, the courts began to require that schools establish educational deficiency programs, improved teacher training programs, and magnet programs. Although these initiatives have had a very positive effect on the schools, local school districts continue to struggle to meet the financial costs these programs require.

Tatel recommended that each state mandate desegregation standards. He also urged legislators to approve state funding for local desegregation programs, such as the magnet program. Tatel said that funding is urgently needed on the local level, that costs are increasing as revenue is decreasing, and that these recommendations are appropriate to state and federal constitutions.

In other action, Deputy Commissioner of the Department of Education, Curman Gaines, briefed panel members on the Department of Education's budget. Gaines noted that the current annual budget for the Dept. is \$13.6 million. Ninety percent of this, he said, is allocated to required programs. Gaines also reviewed the Dept.'s change level requests, reporting that only a few of the new programs that required funding were approved under the governor's proposal. New programs approved by the governor include: education about the disease AIDS; an Indian Scholarship program; funding for the indirect cost reduction program; and funding for upgrading the mainframe computer. The Dept. requested \$4.4 million in new money and received, under the governor's proposal, \$722,000.

## Department of Education budget reviewed

Discussions on the Department of Education budget proposal continued Fri., Feb. 13, at the Education Aids Division meeting. Nan Skelton, Assistant Commissioner of the Department of Education, discussed funding for research and development. According to Skeleton, about \$6.5 million is made available to school districts each year for basic skill development programs, education improvement and support services, and special programs. In addition, approximately \$150,000 is allocated for funding of special competitive projects and about \$1.5 million for leadership programs. Skeleton also reported that under Title II, federal funds are made available for teacher education programs for the purpose of strengthening teacher knowledge in the areas of foreign languages, mathematics, and computer science. As a result of this Title II programming, she reported, close to 10,000 teachers have been provided with educational training opportunities and nearly 80 percent of the Minnesota schools have participated.

Under the governor's proposal, the Dept. of Education would receive \$375,8000 for education development and Title II programming in fiscal year 1988 and \$376,900 in FY 1989.

Assistant Commissioner Dan Skoog discussed Dept. of Education district finance and management support. Skoog reported that nearly \$3 billion of aids and levies are distributed to the 435 state school districts and that the Education Aids and Levies Division of the Dept. provides financial analysis services to assist school districts in properly allocating their funding allowances.

Skoog also discussed the functions of the Financial Management Division, the Education Statistics Division, the District Organization Facilities and Transportation Districts Division, and Education Data Systems services provided by the Dept. of Education.

A final presentation on the Dept. of Education was given by Curman Gaines, Deputy Commissioner of the Dept. of Education. Gaines outlined major education policy themes and activities, and briefly discussed the responsibilities of the State Board of Education, the office of the Commissioner, and services provided by the Employee Relations Division and the Publications/Public Information Division.

## Budget recommendations studied

A review of the governor's transportation aids budget was presented to the Education Aids Division Mon., Feb. 16. Tom Melcher, from the Department of Education, Aids and Levies Division, briefed committee members on how transportation funding allowances are determined. Under the governor's proposal, said Melcher, transportation funding is more fair. According to his report, pupil transportation aid in fiscal year 1989 would be reduced \$6.8 million, levy would increase \$18.1 million and revenue would increase \$10.1 million over the same level budget.

Gary Farland from the Department of Education discussed the governor's capital expenditure recommendations and reported that in fiscal year 1989 capital expenditure revenue per total pupil unit would be increased to \$145. The basic capital expenditure mill rate would be reduced from 9 mills to 2 mills, beginning with the levy payable in FY 1988. State aid, Farland said, would increase nearly \$53 million over the current biennium.

Farland also reported that the current funding formula for hazardous substance clean up capital expenditures would be replaced with a new formula, beginning in FY 1989. Under the new formula, Farland said, school districts would be permitted to levy for approved hazardous substance clean up projects. The Governor has appropriated \$50,485 for FY 1988 and \$58,721 for FY 1989 for this project.

In addition, Farland noted that the Governor has recommended \$1.6 million be appropriated for school loan programs in FY 1988 and \$2.0 million in FY 1989.

A final presentation was given by Dan Skoog, Assistant Commissioner of the Department of Education. Skoog reported that the Governor supports the continuation of interdistrict cooperation in efforts to improve learning opportunities for students and to improve operating efficiencies among school districts. The governor's budget recommends that \$2.3 million be allocated for the program in FY 1988 and \$3.4 million in FY 1989.

## Employment

### Attorneys address workers' comp

Three attorneys, one of them a former administrative law judge, spoke to the Subcommittee on Injured Workers' Compensation, chaired by Sen. A.W. "Bill" Diessner, Mon., Feb. 16. Tim McCoy, a trial attorney with Sieben, Gross and VonHolten, who represents injured workers in litigation for benefits, called the compensation system "unbelievably complicated and involved."

Peter Pusturino, a defense attorney who represents insurers and self-insurers, and has past experience representing injured workers, said the present system of litigating benefits has a "triple track" of decision-making bodies.

A former administrative law judge who currently represents injured workers in their claims, Tom Longfellow told the committee that he recommends returning all of the decision-making authority to only one source—the compensation judge. He said there are presently too many specializations within the compensation administration system. The complexity makes for more litigation costing the state, workers and employers more money, Longfellow said.

### State fund mutual request approved

The Employment Committee approved a bill which would appropriate \$10 million over a two year period to the State Fund Mutual Insurance Company, a non-profit agency which writes workers' compensation policies, Tues., Feb. 17.

The bill, sponsored by Chairman Sen. Florian Chmielewski, (DFL-Sturgeon Lake), clarifies the legal status of the state fund and allows State Fund Mutual, as well as any other domestic mutual insurance company, to borrow money from the State Board of Investment and allows the Board to invest in the insurance securities.

Two amendments to the bill, one allowing the commissioner of labor and industry and the manager of State Fund Mutual to serve as ex officio members of the insurance company board, and another making a technical change in the wording of the bill, also were passed.

A third amendment, offered by Sen. James Pehler (DFL-St. Cloud), was defeated. The amendment would have deleted the section of the bill pertaining to the appropriation. Pehler said, "I have a problem taking \$10 million out of the general fund during a biennium that is not that flush." Sen. Nancy Brataas, (R-Rochester) said she was "stunned" that State Fund Mutual was requesting more funding. She said she believed that the insurance company would be self-supporting after its initial start up appropriation of \$5.7 million in 1984.

State Fund Mutual President Andy Meuwissen explained that the insurance company needs additional funding so that it can continue to expand and serve the employers that would like to be insured through State Fund Mutual.

Mike Hatch, Commissioner of Insurance, presented the committee with an overview of the Assigned Risk Workers' Compensation Fund, also called the assigned risk pool.

Hatch said assigned risk pools have been established in every state to handle high risk or "unattractive risk" employers who find it difficult to find affordable workers' compensation coverage. He said only three states, Minnesota among them, have de-regulated private insurance industries, allowing them to set their own rates. The assigned risk pool rate is set by the insurance commissioner in all 50 states, Hatch said.

Hatch said 25 percent of the premium base of the assigned risk pool are "unattractive risks" or small employers with less than 20 workers.

Hatch said he is instituting an assessment on employers belonging to the pool for the first time during the five years he's held the post. An assessment of five percent in 1987 and three percent in 1988 will be used to recover an estimated \$39 million deficiency in the amount collected in premiums and the amount paid in benefits.

Since reorganization of the assigned risk pool in 1982, a rule has required that the assigned risk premium rate be generally higher than that offered in private industry, Hatch said.

A representative from the Insurance Federation of Minnesota, Bob Johnson said the assigned risk pool rates are lower than that of private industry in many cases. Johnson also said that, although he supports the idea of an assigned risk pool, he believes it is disregarding statutes by covering employees who could be covered by private insurance companies.

Abe Rosenthal of the Minnesota Transport Services Association told the committee that private insurance companies have forced small businesses to turn to the assigned risk pool as an insurer. He said since de-regulation, private insurance rates have increased dramatically.

## Drug testing investigated

The Employment Committee discussed the legal aspects of drug testing in the workplace, including existing laws and employees' rights, Thurs., Feb. 19. A summary of a drug testing bill, S.F. 91, authored by Sen. Chmielewski, was also presented by Brad Ervin, Senate Counsel.

Although there is not a definitive body of case law, Ervin indicated that the courts have ruled that drug tests may only be performed on public employees for "just cause," or where a reasonable suspicion exists that an individual is under the influence of drugs, or when the employee holds a position involving public trust, public safety or public security. However, when private employers require job applicants and existing employees to submit to a drug test, they are not covered by federal law, he said. However, state law may regulate the use of drug testing by private employers, Ervin said.

He said the bill requires that employers have a written test policy; that employees be made aware of the consequences of refusing a test or having positive test results; that the test be consistently applied; and that tests be conducted by qualified staff in an approved laboratory.

Chmielewski said he will ask for a vote on his bill following public testimony.

## Finance

### Scholarship program changes previewed

Dr. David Longanecker, director of the Higher Education Coordinating Board, said the governor's proposed funding for the State Scholarship and Grant Program will raise the students' net educational costs; and that, he claimed, is inconsistent with the governor's goal of increasing post-secondary enrollment. Longanecker made his remarks during the Educations Division's Fri., Feb. 13, meeting.

The governor recommended lowering the limit on allowable financial aid and increasing the student and parental contribution required to cover the tuition and living expenses. This shared responsibility formula currently permits 50 percent of school costs to be covered by financial aid; the governor's proposal reduces the

# Committee Capsule

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amount to 40 percent. However, the governor's proposal adds more dollars to the state work study program and provides a special child care allowance for students with young children.

Longanecker said the current 50/50 share assures access to post-secondary institutions for many students who would otherwise be unable to afford them. In addition, the program makes it more affordable for students to choose among institutions rather than being limited due to low income.

"Going to the 60 percent will eliminate these goals and pushes students beyond affordable education," Longanecker said.

The board has recommended a total appropriation of \$486.1 million; however, the governor has recommended a \$440.6 million appropriation.

## Panel discusses law library consolidation

The State Departments Division raised the question Mon., Feb. 16, of possibly combining the state and metro county law libraries. Committee members discussed the option when reviewing the State Law Library's budget request.

State Law Librarian Marvin Anderson requested an additional appropriation of \$155,000 for F.Y. 1988. The additional money would be used to convert law material to microfilm, rebuild the library's collection, hire an organization to evaluate the library's operation, and obtain access to the computerized Public Access Library System. Sen. William Luther (DFL-Brooklyn Park) suggested examining the consolidation to cut state and county costs.

Anderson said the state law library provides an essential service for state agencies and the Legislature. While 67 of the 87 counties have a law library, each serve a different clientele, he said. Anderson added that funding for the Ramsey County Law Library has been substantially limited, and many of their users are dependent upon the state's library for services.

In other action Wednesday, the committee began reviewing change level requests for the State Court Administrator's Office. The office would like to increase its funding by \$661,300 in F.Y. '88 and \$862,000 in F.Y. '89. The additional money would provide funding for local computer implementation in four judicial districts; create three additional positions for the information systems office; allow the court administrator to hire an administrative assistant to reduce the heavy workload; and allow for inflationary increases in rent.

Thursday, Feb. 12, the division reviewed budget request for the Minnesota Housing Finance Agency, the Pollution Control Agency, and the Waste Management Board.

## Rural museum programs possible

The governor recommended a biennial appropriation of \$1.04 million for the Science Museum of Minnesota, and that money would allow the museum to step-up its efforts in bringing science programs to the rural areas of the state. The museum's budget proposal was before the Division of Agriculture, Transportation and Semi-State Agencies Wed., Feb. 18.

The science museum requested an additional \$182,000 in state funds, and the governor agreed. The additional money would also provide inflationary increases for employee salaries.

The governor also okayed an additional appropriation of \$300,000 and an increase of four positions for the Charitable Gambling Control Board. Executive Secretary Roger Franke, who requested an additional complement of 10, said more people are needed to help audit organizations that conduct charitable gambling.

## Jobs Skill Partnership reports success

Minnesota Job Skills Partnership grants totalling \$1.37 million have generated nearly \$2.2 million in private funding, director Monica Manning told members of the Education Division Wed., Feb. 18. Those grants, coupled with the private funding, are made to education and training institutions to help train unemployed workers for employers experiencing various skill shortages. More importantly, nearly 90 percent of the unemployed workers who begin the training programs are placed in jobs, Manning reported.

According to Manning, about 2,400 people have either completed training or are in the process of being filed. Since the program began, 21 projects have been funded involving 24 educational and training institutions and 80 companies. Furthermore, anticipated tax revenue from the income of the trainees is \$3.5 million.

As a result of the program's success, the governor recommended that the operation of the Job Skill Partnership Board be extended until 1991. In addition, the governor's proposed an appropriation of \$2 million for the biennium and an allotment of 4 positions for the board.

## General Legislation and Public Gaming

### Gambling law revisions studied

The Subcommittee on the Commercialization of Charitable Gambling began reviewing proposed changes to the state's charitable gambling laws during their Wed., Feb. 18, meeting. Several provisions are likely to be incorporated into a bill, which is expected to come before the full committee this month.

A key provision proposed for future consideration would increase the number of bingo occasions that an organization may conduct per week. Currently, an organization may not hold more than two occasions weekly, although this limit has been waived by the Charitable Gambling Board. A provision before the subcommittee would allow the organizations to hold seven bingo occasions in a week. The limit on the amount of bingo occasions that may occur at one site during a week also is up for consideration. Current restrictions limit the amount of occasions at a site to four per week.

Another key change that will be considered raises the portion of profit that may be used to cover allowable expenses. Under law, 50 percent of the profit from bingo games may cover expenses, and the other half must be donated to a charity. For other forms of legal gambling, such as pulltabs, at least 60 percent of the profit must go to charity and 40 percent used for expenses. The proposed change raises this allowable expense set-aside by five percent.

Several other proposed changes will come before the full committee. They include restricting manufacturers and distributors from becoming involved in conducting lawful gambling; allowing taxes paid to the federal government to be deducted by an organization before profit is computed; and giving the board authority to suspend the operation of a game if some impropriety is evident.

The subcommittee is chaired by Sen. Marily Lantry (DFL-St. Paul).

## Governmental Operations

### Panel considers APA changes

The Governmental Operations Subcommittee on the Administrative Procedure Act met Tues., Feb. 17, to begin final work on a subcommittee proposal making changes to Minnesota Administrative Procedure Act. The subcommittee, chaired by Sen. Darril Wegscheid (DFL-Apple Valley), went through the provisions of the draft legislation and heard testimony from state agency personnel. The proposal deals primarily with the rule-making process and addresses many of the concerns expressed at earlier subcommittee meetings.

A second subcommittee met Tues., Feb. 17, to hear an update on the implementation of the 1985 Jobs Act. The panel, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), heard a presentation by Keith Ford, Jobs Coordinator, Dept. of Full Productivity and Opportunity, detailing the interagency cooperative effort mandated by the 1985 law. Ford also outlined the process for the development of a comprehensive jobs plan.

## State Board of Investment bill okayed

Committee members, chaired by Sen. Don Moe (DFL-St. Paul), approved a measure making several changes in the laws governing the State Board of Investment, Thurs., Feb. 19. The bill, S.F. 314, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), alters the Board's investment authority by increasing the limit on equity investments to no more than 85 percent of the value of a fund and increases the limit on alternative investments to no more than 35 percent of the value of a fund. In addition, the bill grants the Board the authority to purchase high-yield debt obligations and foreign securities as alternative investments. The bill also includes several technical changes to the current law.

In other action, the panel began discussion on a bill that would abolish the authority to appoint corporations as deputy registrars. The measure, S.F. 281, came before the committee, said chief author Sen. Gene Merriam, because a change in the law in 1984 authorized corporations to be named deputy registrars. As a result, Merriam said, several of the private deputy registrars have incorporated and then sold their appointments. Prior to 1984, deputy registrars were appointed for life, but with the change in the law, corporations could have the appointment forever. Currently, both private and public entities are appointed deputy registrars. The fees from transactions are, in the case of public deputy registrars, returned to the general fund of the unit of government and, in the case of private deputy registrars, used for expenses. Because of time constraints, discussion on the bill will be continued at another meeting.

## Health and Human Services

### Health policy issues reviewed

The Subcommittee on Health and Health Financing, chaired by Sen. John Brandl (DFL-Mpls.), met Fri., Feb. 13, to hear presentations on health policy research. The overviews, presented by staff of the University of Minnesota's Center for Health Services Research, covered the topics of medical technology, the aging of the population and increasing medical costs. In addition, Center staff outlined issues relating to the competitive approach of health care cost containment, including HMO growth, the DRG (diagnostic related group) program, changes in employer health benefits and medicare-medicoid enrollment in HMOs.

Consumer issues were also covered, specifically the topics of cost, access, quality, rural health care and long term care. Of particular concern, too, is the issue of health care for the uninsured and alternative ways of providing services for medicoid recipients. The director of the Center, John Kralewski, and staff members Ira Moscovice and Jon Christianson will continue the presentations at the next subcommittee hearing.

### Departmental health initiatives aired

The full Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met Tues., Feb. 17, to hear Department of Human Services initiatives on health care and the resultant proposed budget adjustments. In addition, committee members heard a series of related presentations on the issues of health care for the uninsured. Ira Moscovice from the Health Services Research Center presented a survey of health policy research with issues and perspectives of health care as it pertains to the uninsured. Kathy Burek outlined the Department of Health's initiatives on health care, and Luanne Nyberg, director of the Children Defense Fund, spoke on the issue of uninsured families and children.

## Judiciary

### Extradition and rendition bill okayed

A bill enacting the Uniform Extradition and Rendition Act was the focus of attention for members of the Criminal Law Division of the Judiciary Committee Fri., Feb. 13. Controversy on the bill, S.F. 148, authored by Sen. Richard Cohen (DFL-St. Paul), centered primarily on the fact that only one other state has enacted the uniform law. A

memo from the Hennepin County Attorney's Office, submitted in opposition to the measure, listed compliance problems as another chief problem. In addition, according to the memo, "the procedures continually afford the fugitive the opportunity to flee the jurisdiction and therefore make extradition a time-consuming problem for the state." However, former senator Jack Davies, testifying in favor of the bill, countered that the bill would actually make the extradition process more efficient. Further, Davies argued that societal changes such as technological advances in police information systems and demographic changes are not adequately addressed by the current law and would be better served by adoption of the Uniform Act. Division members, chaired by Sen. Donna Peterson (DFL-Mpls.), approved the measure and recommended that it be heard by the full committee.

The Judiciary Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove), also met Fri., Feb. 13. Division members devoted their hearing to consideration of a bill that would prohibit perpetrators of crimes from suing for damages for injuries sustain during the commission of the crime. The bill, S.F. 31, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), was substantially amended before gaining the committee's approval.

### Corporate directors' liability bill approved

The bill allowing shareholders to vote to limit or eliminate corporate directors' liability for breach of fiduciary trust was approved by the Judiciary Committee Mon., Feb. 16. According to chief author, Sen. Ember Reichgott (DFL-New Hope), the bill, H.F. 34, is designed to aid in the recruitment and retention of outside directors for Minnesota corporations. In addition, Reichgott said, that should the legislature fail to approve the measure, corporations would be forced to reincorporate in the state of Delaware which does have a similar law. Reichgott also said that the bill does not alter directors' liability for other kinds of conduct.

Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), devoted most of the hearing to discussing a series of amendments offered by Sen. Fritz Knaak (R-White Bear Lake). Panel members approved the first amendment clarifying that the bill does not apply to securities law. However, two additional amendments did not gain committee support. Knaak's second amendment would have provided a cap on liability and the third would have created an additional right of redemption on the part of minority shareholders.

### Education access for disabled bill gains

A change in the state's anti-discrimination laws providing that the failure by educational institutions to ensure physical and program access for disabled persons is an unfair discriminatory practice was approved by members of the Civil Law Division Wed., Feb. 18. The bill, S.F. 264, authored by Sen. Allan Spear (DFL-Mpls.), also includes "sensory" impairment in the definition of disability. In addition, the measure makes amendments to the exemption provisions, in line with those provided by federal law, for discrimination in education.

Committee members, chaired by Sen. Tad Jude (DFL-Maple Grove), also discussed a bill, S.F. 96, that would enact the Uniform Premarital Agreement Act. The measure, also sponsored by Spear, sets out the requirements and effect of premarital agreements and repeals existing law on the subject. Debate on several proposed amendments, however, made it necessary to lay the bill over because of time constraints.

## Local and Urban Government

### Committee views waste control system

During an overview presented to the Local and Urban Government Committee, Thurs. Feb. 12, Metropolitan Waste Control Commission Chairman Peter Meintsma highlighted MWCC's agreement with Consolidated Management Corporation of Nevada to send 230,000 tons of incinerated solid waste to South Dakota. The plan calls for the ash to be processed to extract metals and other saleable minerals, and then is to be recycled into lightweight pellets for use in construction materials. Shipping the

# Committee Capsule

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sludge ash to South Dakota solved a 30 year storage problem, said Meintsma. MWCC is studying other proposals for using ash.

Meintsma also provided background information to the committee, chaired by Sen. Robert Schmitz (DFL-Jordan). He said the MWCC was established in 1969 to prevent water pollution and treat the waste water of the metropolitan area.

The treatment system serves 103 communities and maintains 12 treatment plants and 500 miles of sewer pipes. Among the MWCC's responsibilities are conducting lab tests and sampling air quality, raw sewage, ground water and receiving waters to maintain environmental quality, he said.

Louis Breimhurst, Chief Administrator of the MWCC, spoke to the committee about the commission's \$100 million budget; capitol expenditure plans for the future; and proposed rate structure changes which will be brought before the Legislature this session.

Breimhurst explained that user fees contribute 85 percent of MWCC's budget. Other funds come from federal grants, charges to industry based on flow strength and investment earnings. In addition, Breimhurst said service hook-ups are likely to double by 1996 due to the increase of sewage to be treated and expected increases in operating costs. An average household currently pays a one-time charge of \$525 to access the sewage service.

## Two bills move through committee

A bill authorizing the Anoka County Board to issue and sell up to \$18 million worth of general obligation bonds to be used for capital improvements was presented to the Local and Urban Government Committee, Mon., Feb. 16, by the author, Sen. Gregory Dahl (DFL-Coon Rapids).

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), approved the measure, S.F. 201, but added an amendment, offered by Schmitz, which would require the Board to publish its intent to issue a bond and to hold a public hearing to obtain comments. The amendment further requires that voters approve the bonding project at either a general or a special election. Schmitz said, "there should be some protection on the part of the public," when he offered the amendment.

Paul Carron, Anoka County Commissioner, told the committee that "there is a serious need for realistically expanded capabilities" in dealing with needed highway, infrastructure and building improvements.

Sen. Florian Chmielewski's (DFL-Sturgeon Lake) bill, S.F. 22, authorizes Chisago and Kanabec Counties to levy a .75 mill tax for the maintenance of the Kanabec Historical Museum also was approved.

Chmielewski said the mill levy will equal approximately \$37,500 in funding. He said the bill gives the county boards the authority to apply the levy but that they must take the initiative and adopt it. The levy would equal roughly what the museum had been granted from federal revenue sharing funds have since been cut.

## Taxes and Tax Laws

### Income tax proposal studied

Dept. of Revenue officials presented an overview of Gov. Rudy Perpich's income tax proposal to the Income Tax Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls), Tues., Feb. 17.

Sen. Douglas Johnson (DFL-Cook), sponsor of S.F. 445 said that he is supporting the income tax proposals "because I think it is the right way to go." He said the governor's income tax plan eliminates tax loop holes, simplifies the process and conforms to the federal income tax system.

Dept. of Revenue Commissioner Tom Triplett provided a broad description of the plan. He said the reform calls for adopting federal taxable income as the base for determining state taxable income.

Adoption would result in increases the standard deduction and the personal exemption, the removal of credits and shelters and a simplified filing procedure. The plan would also return the \$660 million federal windfall to income taxpayers, but not necessarily to the same taxpayers who paid the tax; establish only two tax rates—eight percent and six percent; add a single, head-of-household table; and make 125,000 low income families exempt from state income tax.

Triplett said the revenue department would expect neither an increase nor a decrease in income tax revenue under the plan.

### Sales tax examined

Following an overview of Gov. Rudy Perpich's proposed sales tax changes, the Sales Tax Division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), heard comments on the plan from representatives from educational institutions, local governments and businesses.

Revenue Commissioner Tom Triplett said the sales tax plan calls for a \$380 million increase in sales tax revenue.

The plan would eliminate exemptions for state and local governments and non-profit organizations. In addition, the proposal would further broaden the tax base by including interstate phone calls, private sales of used boats and meals given to employees.

Ken Zastrow from the Dept. of Education said public schools would pay \$15 million annually in taxes.

Dave Fricke, Executive Director of the Association of Townships, said that out of a total budget of \$89 million, townships spend \$60 million annually on products and services for roadways and fire protection. He felt a sales tax on township purchases would force a raise in property taxes.

## Transportation

### Panel approves license plate reissuance

The Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault) approved S.F. 63, Tues., Feb. 17. The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul) mandates a general reissuance of license plates in the state. The bill would require that license plates be reissued every six years, effective July 1, 1987. At that time, all plates two years old or older would have to be replaced. For those persons holding plates less than two years old, plates would not have to be reissued until they are six years old.

The committee also approved S.F. 55. The bill, authored by Sen. Mel Frederick (IR-Owatonna), provides that personalized license plate holders who paid a fee of \$100 during the 1985 general reissuance be refunded the \$100 fee. The bill also requires that the Department of Public Safety notify persons who may be entitled to a refund or a reissuance under this provision. The bill will become effective August 1, 1988.

In addition, the committee gave approval to a bill that would allow persons to obtain a permit from the Department of Public Safety to use a black and white slow moving vehicle emblem in place of the regular orange slow moving vehicle emblem. The bill, authored by Senate Minority Leader Duane Benson (IR-Lanesboro), was created to protect religious beliefs of the Amish people and to induce safety measures in the community. According to Benson, the use of bright colors conflict with the religious beliefs of the Amish people. Although the black and white emblem is a viable alternative, S.F. 25 would require that the orange emblem be carried at all times by community members. The orange emblem would be used only when visibility is impaired by poor weather conditions as the black and white emblem is not sufficient when there is fog or smoke or other poor weather conditions.

Committee members took no action on S.F. 72. The bill, authored by Sen. Don Frank (DFL-Spring Lake Park), proposed that drivers who fail to pay parking tickets would have their drivers licenses suspended rather than face an arrest charge.

# Veterans

## National Guard issues aired

National Guard Adjutant General James Sieben characterized the training of Minnesota's guard in Honduras, Central America, as "a good, valid mission." Sieben made those remarks when presenting a general overview of the guard for committee members Thurs., Feb. 19.

Sieben said that the National Guard has been involved in training missions throughout the world, including Germany, Norway, Turkey, Portugal and Japan. Each training mission, he said, provides the guard with valuable educational experiences. In addition to learning languages, the guard gains necessary training in realistic areas of potential conflict, he explained. The 133rd Tactical Airlift Wing of the Minnesota Air National Guard learned in Central America how to handle a shorter size runway, which could not be found in this country, he said.

Sieben informed the committee, chaired by Sen. Joe Bertram (DFL-Paynesville), that other states have joined the governor's lawsuit, which challenges a law passed by Congress preventing governor's from vetoing foreign assignments for National Guard units. The other states joining the suit are Vermont, Massachusetts, Maine, and Ohio. Sieben said he understands the governor's reasons for challenging the law, but said he wanted to make sure the committee and the public understands the necessity of foreign training missions.

# Floor Action

## Senate acts on several bills

In other action Thurs., Feb. 19, Senators granted final passage to the three measures that had received preliminary approval Mon., Feb. 16. In addition, nine measures were given preliminary approval on the General Orders Calendar.

Among the bills given preliminary approval, H.F. 66, authored by Sen. Clarence Purfeerst (DFL-Paribault), memorializes the Congress of the United States to enact an extension of the federal highway program at the earliest possible date. S.F. 161, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), requires the Commissioner of Veterans Affairs to establish a certification process for veterans service officers. S.F. 155, authored by Sen. Tracy Beckman (DFL-Bricelyn), memorializes the governments of the United States and the Socialist Republic of Vietnam to take all possible action to determine the fate of persons missing in action and/or held as prisoners of war in Asian nations.

S.F. 137, carried by Sen. Darril Wegscheid (DFL-Apple Valley), clarifies the exceptions to the prohibition against the manufacture of food from adulterated milk or cream. S.F. 59, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), clarifies that the jurisdiction for the prosecution of persons who operate motorboats while under the influence of alcohol or controlled substances is the same as the jurisdiction in which the offense occurred. S.F. 211, authored by Sen. Betty Adkins (DFL-St. Michael), clarifies which premises may be issued on-sale liquor licenses. S.F. 123, also sponsored by Adkins, is a township bill providing for the broadening of the joint self-insurance pool regulation exemption. S.F. 38, authored by Sen. Allan Spear (DFL-Mpls.), authorizes cities to issue temporary off-sale licenses for the sale of vintage wine at auction and allows the Cold Spring Company to engage in cooperative advertising for non-alcoholic beverages with retailers.

# Preview

## The Minnesota Senate Week at a Glance

Monday, February 23, 1987

**Education Committee**, Chair: James Pehler

8:30 AM Room 15 Capitol

**Agenda:** S.F. 141-Morse: Establishing a composites science and engineering program at Winona State University. Planning, Evaluating and Reporting requirements; model curriculum expectations; and assessment by Bill McMillan, Dept. of Education.

**Finance Committee Health and Human Services Division**, Chair:

Don Samuelson

8:30 AM Room 125 Capitol

**Agenda:** Continuation of budget overview Department of Health.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** Overview of Agricultural Department.

**Finance Committee Agriculture, Transportation, and Semi-States**

**Divison**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Overview of Historical Society. Budget hearings for Public Service Department, and Horticultural Society.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 53-Luther: Municipal indemnification of officers, employees, for punitive damages. H.F. 41-S.F. 37-Peterson, R.W.: Access to adoption agency information. S.F. 157-Luther: Statutory rule against perpetuities. S.F. 302-Spear: Repeal of criminal syndicalism.

**Economic Development and Housing Committee**, Chair: Don

Frank

12:00 PM Room 15 Capitol

**Agenda:** S.F. 170-Pogemiller: Continuation of hearing of bond recodification.

**Employment Subcommittee on Injured Workers Compensation**,

Chair: A.W. "Bill" Diessner

1:00 PM Room 112 Capitol

**Agenda:** Testimony by doctors and QRC's.

**Senate will be in session at 2:00 PM.**

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** Aids Budget re: Special programs including special education, limited English proficiency, secondary vocational.

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 125 Capitol  
**Agenda:** Budget overview of the Department of Natural Resources.

## Tuesday, February 24, 1987

**Employment Committee, Chair: Florian Chmielewski**  
8:00 AM Room 107 Capitol  
**Agenda:** S.F. 91-Chmielewski: relating to drug and alcohol testing of employees and job applicants.

**Legislative Commission on Pensions and Retirement,**  
8:30 AM Room 10 SOB  
**Agenda:** Organizational meeting, report from Commission Actuary, and reports from fund administrators.

**Commerce Committee, Chair: Sam Solon**  
10:00 AM Room 112 Capitol  
**Agenda:** S.F. 245-Langseth: On-sale liquor license - Moorhead. S.F. 80-Waldorf: Flexibility in homeowner's insurance.

**Public Utilities and Energy, Chair: Ronald Dicklich**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 378-Merriam: Power plants and lines; electric power line owner liability and vegetation trimming requirements. S.F. 258-Jude: regulating certain intrastate gas pipelines.

**Veterans Committee, Chair: Joseph Bertram**  
10:00 AM Room 107 Capitol  
**Agenda:** S.F. 257-Diessner: requiring the Governor to appoint charitable gambling control board members from certain fraternal, veteran's and religious organizations.

**Agriculture Subcommittee on Agriculture Products-Processing,**  
Chair: Charles Berg  
12:00 PM Room 107 Capitol  
**Agenda:** S.F. 69-Berg: Establishing a commercial fish raising program.

**Environment and Natural Resources Committee, Chair: Gerald Willet**  
1:00 PM Room 112 Capitol  
**Agenda:** Overview of the Legislative Commission on Minnesota Resources, Bob Hansen, Executive Director, and Rep. Douglas Carlson.

**Health and Human Services Subcommittee on Health and Health Financing, Chair: John Brandl**  
1:00 PM Room 123 Capitol  
**Agenda:** Continuation of Feb. 20th meeting. Prepaid Medical Demonstration Project report, Bob Meyer, Dept. of Human Services. Human Service bills will be heard: Recovery of Medical Assistance Overpayments; SILS; Clarification of costs, rates of state nursing homes, and insurance settlements. Dept. of Human Services explanation on physical therapy and provider cuts.

**Health and Human Services Subcommittee on Social Services and Government Administration, Chair: Pat Piper**  
1:00 PM Room 15 Capitol  
**Agenda:** S.F. 360-Chmielewski: Exempting Certain Levies on Services to Aging. Discussion of Social Workers, Marriage and Family Therapists on Registration or Licensure Issues, Kathy Burek, Dept. of Health.

**Joint Senate-House Education Subcommittees on Libraries, Chair: Rep. Gloria Segal**  
2:00 PM Room 400S SOB  
**Agenda:** Public Library Development Program, multi-type library cooperation, and automation for state government libraries.

**Finance Committee Education Division, Chair: Gene Waldorf**  
3:00 PM Room 125 Capitol  
**Agenda:** University of Minnesota, Commitment to Focus, reports and budget.

## Wednesday, February 25, 1987

**Education Committee, Chair: James Pehler**  
8:30 AM Room 15 Capitol  
**Agenda:** Advanced Placement Report by David Longanecker, HECB. Post Secondary Enrollment Options Act by Jessie Montano, Dept. of Education.

**Agriculture Committee, Chair: Charles Davis**  
10:00 AM Room 112 Capitol  
**Agenda:** S.F. 215-Pehler: Providing for research on the problem of stray voltage. S.F. 407-Wegscheid: Regulating certain vending machine inspections fees.

**Finance Committee Agriculture, Transportation and Semi-States Division, Chair: Keith Langseth**  
10:00 AM Room 123 Capitol  
**Agenda:** Budget Hearings for: Department of Public Safety including Crime Victims Reparation Board. Private Detective Board, Children's Trust Fund.

**Judiciary Committee, Chair: Allan Spear**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 152-Lantry: Crime victims emergency assistance. S.F. 31-Diessner: Barring perpetrator recovery for injury by victim using reasonable force. S.F. 264-Spear: Disability discrimination in education. S.F. 287-Reichgott; Debt collection by affidavit. S.F. 368-Reichgott: Condemnation appraisal fee. S.F. 402-Jude: Probate fees. S.F. 365-Merriam: Search of commercial establishments for illegal possession of game.

**Environment and Natural Resources Subcommittee on Public Lands and Waters, Chair: Steven Novak**  
12:00 PM Room 112 Capitol  
**Agenda:** S.F. 191-Johnson, D.J.: St. Louis County Land Conveyance. S.F. 40-Diessner: Boat Titling.

**Health and Human Services Committee, Chair: Linda Berglin**  
1:00 PM Room 15 Capitol  
**Agenda:** Bills that have passed Subcommittees (tentatively) S.F. 86-Piper or S.F. 43-Diessner: Hospital Administration Organ or Tissue Donation. S.F. 360-Chmielewski: Exempting certain levies on services to aging. S.F. 185-Freeman: Women, Infants, and Children (WIC). Presentation by Dr. Michael Resnick on Teenage Pregnancy.

**Environment and Natural Resources Committee, Chair: Gerald Willet**  
1:30 PM Room 112 Capitol  
**Agenda:** S.F. 90-Novak: Pipeline bill. S.F. 1-Moe, R.D.: Rural Development Act.

**Finance Committee Education Division, Chair: Gene Waldorf**  
3:00 PM Room 123 Capitol  
**Agenda:** Community College System reports and budget, presented by Dr. Gerald Christenson.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**  
3:00 PM Room 125 Capitol  
**Agenda:** Budget Overview of Corrections Ombudsman, Sentencing Guidelines Commission, and Department of Corrections.

**Taxes and Tax Laws Committee Property Taxes and Local Government Aids Division, Chair: Steven Novak**  
3:00 PM Room 15 Capitol  
**Agenda:** Public testimony on property tax alternatives.

Thursday, February 26, 1987

Transportation Committee, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 102-Frank: Prohibition against wearing headphones while operating motor vehicles including bicycles. S.F. 131-Bertram: Ten mile per hour reduction in speed limit for construction zone. S.F. 343-Jude: Licensure of limousine services.

Governmental Operations Committee, Chair: Donald Moe

8:30 AM Room 15 Capitol

**Agenda:** Continuation of S.F. 281-Merriam: Deputy Registrars.

Public Utilities and Energy Committee, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** S.F. 134-Dicklich: Municipal electric utility boundary extension compensation limit.

Economic Development and Housing Committee, Chair: Don Frank

12:00 PM Room 15 Capitol

**Agenda:** S.F. 330-Reichgott: Creation of a housing and redevelopment authority for Hennepin County. S.F. 84-Dahl: Authorizing energy and economic development authority to make loans and grants to guarantee loans to small business investment companies.

Local and Urban Government Committee, Chair: Robert Schmitz

12:00 PM Room 107 Capitol

**Agenda:** S.F. 279-Chmielewski: City of Brook Park. S.F. 199-Dahl: State licensed residential facility. S.F. 306-Jude: Compensation for members of statutory city park boards.

Senate will be in session at 2:00 PM

Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg

3:00 PM Room 107 Capitol

**Agenda:** S.F. 250-Wegscheid: Requiring firearm safety certificates to hunt with firearms. S.F. 333-Merriam: Allowing raccoon dog field trails. S.F. 334-Merriam: Authorize commissioner to allow persons to take two deer. S.F. 385-Merriam: Technical changes and game and fish laws.

Friday, February 27, 1987

Education Committee Education Aids Division, Chair: Randolph Peterson

8:00 AM Room 15 Capitol

**Agenda:** Aids budget: Expanded student opportunities including categorical aids, non-public aid, and post-secondary enrollment options program.

General Legislation and Public Gaming Committee, Chair: Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 192-Lessard: Charitable gambling revisions. S.F. 266-Lessard: Charitable gambling revisions.

Finance Committee Agriculture, Transportation and Semi-states Division, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Continuation of Dept. of Public Safety hearing.

Finance Committee Education Division, Chair: Gene Waldorf

10:00 AM Room 125 Capitol

**Agenda:** University of Minnesota budget continued.

Judiciary Committee Civil Law Division, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 249-Jude: Making voidable pledges to adoption agencies. S.F. 349-Peterson, R.: Conciliation court enforcement procedures. S.F. 440-Piper: Removal of gender references in statutes.

Health and Human Services Subcommittee on Health and Health Financing, Chair: John Brandl

1:00 PM Room 123 Capitol

**Agenda:** Continuation of Tuesday's agenda.

Health and Human Services Subcommittee on Social Services and Government Administration, Chair: Pat Piper

1:00 PM Room 15 Capitol

**Agenda:** Continuation of Tuesday's Agenda.

For further information or last-minute-additions please call the Senate Information at 296-0504 or the Senate Hotline at 296-8088

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

## Service for hearing-impaired

The Minnesota Senate has initiated a new service for the hearing impaired. Located in Senate Index, the new TDD telecommunications service allows deaf persons to communicate with Index staff in order to find out bill status, bill content and bill authorship. The telephone number for the new service is (612) 296-0250.

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFI	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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## The Minnesota Senate Week in Review February 27, 1987

### Judicial modification of law debated

Much of the Monday, February 23, floor session of the Senate was devoted to debate on a bill that would allow the judicial modification of certain statutes. The measure, S.F. 21, was being considered for preliminary approval on the General Orders Calendar.

Under the proposal, judges could modify a statute in deciding a case if the statute imposed a rule of private law and had been in effect for more than 20 years. In addition, the bill requires that the application of the statute in question would lead to an unjust result under generally accepted principles of law.

Chief author Gene Merriam (DFL-Coon Rapids) argued that the bill "gives our state an opportunity to take a very progressive role in the evolution of jurisprudence" and that the measure provided a realistic reflection of current practice. However, a number of Senators argued that the bill "would invite chaos" in the state's courts. Sen. Ember Reichgott (DFL-New Hope), opposed the measure on the grounds of the constitutional separation of powers and charged that passage of the bill would insure and increase in litigation.

After extensive debate the bill failed to gain endorsement on a 15-27 roll call vote.

### Endotronics bill leaves tax committee

A measure releasing \$24 million from an Iron Range economic trust fund to be invested in a cancer research firm which proposes building a facility in Hibbing, received approval from the Taxes and Tax Laws Committee, Wednesday, February 25. According to supporters of the bill, the measure will enable the firm to manufacture cancer fighting "killer cells" and provide employment for 1,300 people. The measure was sent to the Senate floor.

H.F. 92, sponsored by Senator Ronald Dicklich (DFL-Hibbing), releases funds generated from taxes imposed on taconite production firms on the Iron Range. The funds are to be administered by the Iron Range Resources and Rehabilitation Board for the purposes of negotiating the loan.

The committee, chaired by Senator Douglas Johnson (DFL-Cook), approved an amendment offered by Senator John Brandl (DFL-Mpls.) requiring Endotronics, Inc., Minnetonka, to provide the state with either a letter of credit or a bond in the amount equal to the loan the company receives from the taconite fund. The letter of credit or bond would be forfeited if the Hibbing facility is not built before Dec. 31, 1990 or if the company files for bankruptcy.

The amendment was opposed by Johnson and Dicklich. The measure was too "confining" and would hamper the ability to negotiate the loan, Dicklich said.

An amendment introduced by Senate Minority Leader Duane Benson (IR-Lanesboro) requiring project approval by a technical advisory committee and product approval by the Food and Drug Administration before the release of any funds, was defeated by the committee.

The committee had heard testimony on H.F. 92, Tuesday, February 24. Endotronics' chairman and chief executive officer Eugene Gruenberg described the company as "an emerging growth company" and said it is a leader in cancer therapy but that it needs additional funding to expand into the Iron Range.

Senator Charles Berg (DFL-Chokio) questioned Gruenberg on the company's solvency and cited a recent drop in Endotronics'

stock value.

Steven Conover, Vice President of Applied Membrane Technology, said he opposed the bill and the government's choosing to subsidize one private business over several other competitors. He also questioned whether members of the Legislature have the scientific knowledge required to make decisions regarding cancer research.

### Panel reviews capital budget proposal

Deputy Commissioner of Finance Nellie Johnson presented the governor's \$655 million capital budget request to the Finance Committee Friday, February 20. The proposal, which is the largest in state history, finances building projects for higher educational institutes, the capitol complex, recreation and the environment.

The proposal requires a \$81.2 million debt service, of which \$57.6 million would stem from non-dedicated General Fund receipts. In addition, the governor proposes increasing the cigarette tax by six cents to support higher education projects and an Olympic sports facility. And, revenue from a proposed container deposit would fund environmental projects, such as the construction of waste water treatment facilities and the Reinvest-in-Minnesota program.

About \$271 million of the total figure is earmarked for higher education building projects. The University of Minnesota would receive \$98.8 million of that amount; included are planning dollars for a new \$43.8 million Earth Sciences Building. Another \$75 million would fund construction at State Universities, of which \$10.4 million would remodel and expand the Mankato State University Library and planning funds for building library facilities and St. Cloud and Bemidji. About \$43.7 million is designated for Area Vocational Institutes, where money would help construct and enlarge day-care centers at 19 campuses. And, \$44.2 million would be for projects within the Community College system, including the construction of day-care facilities and \$6 million for a law enforcement center at Normandale Community College.

Projects totaling \$118 million would begin within the Capitol Complex area. They include \$56 million for building the State History Center and another \$40 million for constructing a Judicial Building. For the environment, \$75 million would help the Pollution Control Agency's efforts in constructing waste water treatment facilities; \$4 million would fund a timber wolf center in Ely; and funding of the Reinvest-in-Minnesota program would continue.

### Interest buy-down gains

Following the acceptance of a subcommittee report on S.F. 395, (Davis), the Agriculture Committee approved a "delete everything" amendment and inserted the wording of S.F. 395 to H.F. 1, Friday, February 20. H.F. 1 was approved as amended.

The panel, chaired by Sen. Charles Davis (DFL-Princeton), also approved an amendment to H.F. 1 that allows any unexpended program funds to be carried over to the following year.

H.F. 1 continues the interest buy-down program for two years and includes the Farmers Home Administration as a source of interest payment loans. Under the plan, if a farmer is refused an FmHA loan, they may still qualify for the state funding. However, farmers who have received FmHA loans in the past will be given priority in the state loan program.

The bill was forwarded to the Finance Committee.

# Committee Capsule

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## Agriculture

### Agriculture programs considered

Agriculture Committee members heard an overview of the Dept. of Agriculture, presented by Deputy Commissioner Rollin Dennistoun and other departmental officials, Mon., Feb. 23.

Committee attention focused on three specific programs. The Family Farm Security Program, recommended for elimination on the federal level, will be before the Legislature this session because a decision may be needed on whether to continue the 30-year program, Dennistoun said. He explained that the program assists qualifying applicants to purchase farm real estate by guaranteeing loans and deferring interest payments.

Dennistoun recommended continuing and expanding the Agronomy Services Divisions' ground water and well inspection program because traces of pesticides have been detected in ground water over the past two years. The Environmental Protection Agency and the Health Dept. have also been conducting water tests in conjunction with the Agriculture Department and a national water study program is soon to be implemented, he said.

Anne Kantan, Assistant Agriculture Commissioner, spoke to the committee about the Farm Advocate Program. Farm advocates work within the framework of the farmer-lender mediation program and other programs administered by the Agriculture Dept. Kantan requested that the rate of pay for farm advocates be raised from \$6 to \$8 an hour, that farm advocates be funded for training on the Finpack computer financial system and that a coordinator for an agriculture resource information center be contracted for hire at \$22,000 per year.

### Subcommittee moves aquaculture bill

A bill promoting an aquaculture program in the state, including the raising of a non-indigenous fish, received support from the Subcommittee on Agriculture Products—Processing, Tues., Feb. 24.

Sen. Charles Berg (DFL-Chokio), author of S.F. 69, also gained approval for several amendments to the bill. The amended bill lists specific species of fish which may be commercially raised including crappies, largemouth bass, perch, trout, walleyes and tilapia, a non-native fish. The bill also states that a tilapia fish farm must be completely contained and not be physically connected to any public waters and that commercial fish and commercial fish farming are under the jurisdiction of the commissioner of agriculture. Fish obtained from outside the state must be approved by the commissioner of natural resources.

Robert Paeschke, a Milwaukee, Wisconsin food industry consultant and a grower and marketer of tilapia, spoke to the subcommittee, chaired by Berg, about the raising and breeding of the fish. The raising of tilapia in northern climates is only economical when inexpensive heating sources are available because the fish require temperatures of at least 70 degrees to breed and feed, Paeschke said. He also noted their quick rate of growth and said that tilapia fillets sell for \$4.95 per pound in established market areas.

Reed Olson, President of the Leech Lake Association, a promotional organization of the tourism-dependant Leech Lake area, told the subcommittee that although he supports the expansion of aquaculture, he opposes the raising of tilapia or any exotic fish in Minnesota. The risk of tilapia introducing diseases to native fish is too great, he said.

### Vending machine bill approved, voltage bill held over

The Agriculture Committee approved legislation to move the authority for the licensing and inspecting of the 6,650 vending machines in the state from the department of agriculture to local or county governments, Wed., Feb. 25.

Sen. Darril Wegscheid (DFL-Apple Valley), author of S.F. 407, explained that the bill requires inspecting and licensing only of vending machines dispensing food but that local governments may extend inspecting and licensing to other products. The bill further states that the inspection and license fee may not exceed the \$15 per machine rate set by the state. The bill was re-referred to the Local and Urban Government Committee.

S.F. 215, authored by Sen. James Pehler (DFL-St. Cloud), is a measure granting additional funds for further study on the effects of power line voltage on dairy cattle and milk production, was held over for further discussion.

Pehler said the bill proposes a follow up on a previous study funded by the state in 1985. Under that program, \$65,000 was divided among two research groups. S.F. 215 would allocate an additional \$65,000 to individuals or agencies submitting appropriate proposals for another study.

Fred G. Bergsrud, Agricultural Engineering Department Head, University of Minnesota, presented a report on studies of "stray voltage" which have been conducted by the University and asked that the bill be amended to more clearly define what is to be studied because there are many conflicting theories on the as yet unknown cause of reported adverse effects on dairy cows.

Keith Folger, Distribution Engineer for the Ottertail Power Company, told the panel that he has surveyed farms that obtain power from Ottertail, and that voltage shock problems have been encountered on almost every farm he has visited. The sources of the problem are often detected and the problem rectified, he said.

The bill will be before the committee for further discussion, Mon., March 2.

## Commerce

### Committee approves liquor license bill

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved a bill Tues., Feb. 24, that would authorize the city of Moorhead to issue an on-sale liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center. S.F. 245, authored by Sen. Keith Langseth (DFL-Glyndon), would allow intoxicating liquor to be dispensed only to persons attending events at the Center.

In other action, Sen. Gene Waldorf (DFL-St. Paul), presented a bill that would mandate more flexibility under homeowner's insurance coverage policies. The bill, S.F. 80, authored by Waldorf, would prohibit insurance companies from renewing or issuing a homeowner's insurance policy unless the buyer has been provided with the option of specifying the amount of real property to be covered by the policy for structures other than the actual dwelling and/or personal property.

Russ Stanton, a former insurance agent, testified in favor of the bill and reported that standardized homeowner's insurance policies often cover more than the typical holder has in possession. "You don't have to buy coverage on property you don't have," he said.

Gena Doyscher, Commerce Analyst from the Department of Commerce also testified in favor of the bill. According to Doyscher, S.F. 80 offers alternative options to insurance holders and would require, to the benefit of the holder, the analysis of the value of his/her personal property.

Tom Newcome, a lobbyist from State Farm Insurance Company, testified against the bill saying that the typical consumer underestimates the value of his/her personal property. "We have found," said Newcome, "that when we sell the packaged policy, holders may not need the benefits now, but may need them in the future." In addition, Newcome noted that by breaking the packaged homeowner's insurance policy, administrative costs would rise. This, he said, "would completely upset our marketing strategies."

No action will be taken on S.F. 80 until the committee hears additional testimony.

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## Economic Development and Housing

### Committee approves capital seed fund

A bill designed to establish a capital seed fund organization to promote private investments, economic development and to create new jobs in rural Minnesota, was approved by the Economic Development and Housing Committee, Thurs., Feb. 19.

The bill, S.F. 19, would authorize the corporation to consider offers and proposals from venture capital organizations to put together a plan to create a capital seed fund of \$15 to \$30 million, said Sen. Gregory Dahl (DFL-Coon Rapids), author of the bill. The capital venture group, Dahl continued, would divide rural areas of the state into six regions and implement a capital seed fund in each of the six regions. The funds and the state's accrued interest would be liquidated and returned to the state's general fund by January 1, 2002, Dahl said.

S.F. 19, would assist small businesses in acquiring equity interests and would be managed under the Greater Minnesota Corporation under S.F. 1, if it is enacted into law, said Dahl. If S.F. 1 does not pass, Dahl continued, the capital seed fund would be under the direction of the Department of Energy and Economic Development.

The bill was re-referred to the Committee on Governmental Operations for further discussion.

In other action, Dahl presented the committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), with a bill that would provide certain venture capital companies with a tax credit. S.F. 82, authored by Dahl, is designed to stimulate, strengthen, and diversify the Minnesota economy by expanding employment opportunities in the state. Under the measure, companies with at least \$200,000 in capital and with at least 50 percent of their employees or assets in the state, would be eligible to apply for the tax credit.

No action will be taken on S.F. 82 until the committee discusses the provisions further.

### Panel approves recodification bill

After five hours of review and discussion, the Economic Development and Housing Committee approved S.F. 170. The bill, authored by Sen. Lawrence Pogemiller (DFL-Minneapolis), is a recodification of almost all of the economic development laws currently under Minnesota state statute. By recodifying the economic and development laws, all of the laws will be located in a new chapter of Minnesota statutes.

The text of the laws have been changed to remove only obsolete and redundant language Pogemiller said. No substantive changes have been made in any of the laws, he said.

The bill was re-referred to the Veteran's Committee.

### Housing and redevelopment bill approved

Panel members of the Economic Development and Housing Committee approved a bill establishing a Housing and Redevelopment Authority (HRA) in Hennepin County Thurs., Feb. 26. According to S.F. 330 author Sen. Ember Reichgott (DFL-New Hope), 26 cities in Hennepin County currently do not have an HRA. S.F. 330 mandates that the Hennepin County HRA have all of the powers and duties HRA's are delegated under the Municipal Housing and Redevelopment Act. As a part of the provision, any housing or redevelopment project must be approved by the City Council before it is implemented. In addition, S.F. 330 mandates that the Hennepin County HRA cannot exercise housing and redevelopment powers over municipal HRA's.

Phil Eckhart, Director of the Hennepin County Office of Planning and Development testified in favor of the bill and noted that the creation of the Hennepin County HRA would provide Hennepin County with additional tools to work with other housing and redevelopment programs. "We anticipate continuing to build on our relationships with other communities, to upgrade facilities and to continue developing low-income housing," Eckert said.

The bill was re-referred to the Tax Committee.

## Education

### Members approve engineering degree

A bill establishing a composites science and engineering undergraduate baccalaureate program at Winona State University was approved by members of the Education Committee Mon., Feb. 23. The bill, S.F. 141, authored by Sen. Steven Morse (DFL-Dakota), would require that \$873,500 be appropriated from the general fund to the State University Board to finance the program. In FY 1988, reported Morse, \$83,500 would be allocated to planning and developing the program. In FY 1989, \$790,000 would be made available to implement the program.

Morse and Winona State University President Tom Stark told committee members, chaired by Sen. James Pehler (DFL-St. Cloud), that reports indicate a growth in the composites science industry of 20 percent annually. The implementation of the composites sciences degree program, reported Stark, would train students for available jobs in the industry and foster economic development in Winona, where many of these industries are located.

The bill was re-referred to the Finance Committee.

In other action, the committee heard a report on the Planning, Evaluating and Reporting (PER) program from Bill McMillan of the Department of Education. McMillan discussed major components of PER and reported that the Minnesota Statewide Education Assessment program provides and collects data on the knowledge, skills and attitudes of Minnesota students. In addition, he said, the plan evaluates curriculum models and concentrates on developing activities to enhance and improve student learning.

McMillan also discussed the success of the Local Assessment Program. McMillan reported that 80 percent of the school districts have noted one or more improvements as a result of the Local Assessment Program. In addition, McMillan reviewed the status of the Assurance of Mastery program which was created in 1985 to evaluate student academic performances and has been recommended to be eliminated under the governor's budget proposal.

### Committee hears public library overview

Members of the Senate and House Library Subcommittees of the Education Committees, chaired by Sen. Donna Peterson (DFL-Minneapolis), met Tues., Feb. 24, to hear an overview presentation from public library officials.

Bill Asp, Manager of Library Development and Services at the Department of Education, reviewed the current status of the Public Library Development Program. The program, which began in 1957, now serves 3.9 million Minnesotans — 95.8 percent of the state's population. According to Asp, in 1985, Minnesotans borrowed over 31 million items from the public libraries. On a per capita basis, Minnesotans borrowed an average of 7.9 items in 1985. This is an increase of 5.8 percent over 1984 and an increase of 28.27 percent since 1980, said Asp.

Eighty-five percent of the funding for public library services comes from county and city funds; nearly nine percent comes from state and federal funds; and over five percent comes from miscellaneous incomes, such as gifts and fines, Asp added.

Asp also discussed the Multicounty Multitype Library Cooperation Program. The service, which began in 1979, currently services 666 libraries in the state, representing 1,514 outlets. In addition to encouraging libraries to share materials, the program promotes the implementation of staff development workshops, as well as promoting the development of compatible databases, Asp said. Approximately 40 percent of the funding for this program comes from state aid and close to 60 percent of the funds are appropriated from the federal Library Services and Construction Act Title III fund, Asp added.

Representatives from the Minnesota state Law Library, the MN Department of Revenue Library, and the MN Department of Natural Resources also spoke to panel members stressing their support for strengthening the coordination and effectiveness among state government libraries and strengthening information bases.

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# Committee Capsule

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## Advanced placement policies examined

Members of the Education Committee met Wed., Feb. 25, to hear an assessment report on the Item Bank Program. Bill McMillan, from the Department of Education, told committee members that the Item Bank Program was created to establish comprehensive test measurement services for local school districts in the state. The program, which applies technology to customized tests, has achieved tremendous recognition across the country, said McMillan. The Department of Education, he continued, has been contacted by 34 states in the country who want access to the Item Bank.

Nancy Bunnett from the Higher Education Coordinating Board (HECB), gave a report to the committee on the College Board Advanced Placement Program at the request of the 1986 Legislature to evaluate the policies of the Post-Secondary Enrollment Options Program (PSEO). Designed to provide high school students who earn an acceptable score on advanced placement program examinations, PSEO provides students with the opportunity to enroll in public or private post-secondary courses and earn credits toward post-secondary graduation. Bunnett reported that in the 1985-1986 school year, 87 out of 580 Minnesota high schools participated in the advanced placement program, up from 61 participants in 1983-1984.

A final presentation was given by Jessie Montano from the Department of Education on the Post-Secondary Enrollment Options Act. Montano reviewed results from studies conducted to assess the program. During the 1985-1986 school year, said Montano, 3,668, or 3.2 percent, of Minnesota high school students participated in the program. The study found that 64 percent of the participating students were female; 73 percent of the students were in 12th grade; students were most likely to enroll in community colleges; and on the average, students enrolled in about 20 credits during the 1985-1986 school year. In addition, the survey found that students, parents and high schools who participated in the program were pleased with its results and the impact it had on the participants.

## Education Aids

### Panel studies budget proposal

Members of the Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Thurs., Feb. 19 to review interdistrict cooperation and instruction components of the governor's education aids budget.

Dean Swanson, Director of the Southeast Educational Cooperative Service Unit (ECSU) discussed ECSU objectives and requests. ECSU's were created to establish educational planning programs on a regional level to assist school districts expand and improve educational opportunities for students. According to Swanson, there are nine ECSU centers in the state. In 1987, Swanson said, the ECSUs' expect to provide over \$17 million in administrative and instructional services to local school districts. The governor has recommended, Swanson said, that \$748,000 be appropriated to ECSU's in fiscal year 1988 and \$748,000 in FY 1989.

Charles Coskran from the Department of Education and Gordon Gibbs, Director of the Computer Service Center in Mankato, discussed the governor's budget recommendations for the Elementary Secondary Vocational Finance System. The objective of this program, said Coskran, is to provide school districts with adequate computer based management information and to provide data to state level policy makers. Gibbs reported that the governor has recommended \$7.1 million for the ESCU program for fiscal years 1988 and 1989.

The committee also heard from Dwight Lindbloom of the Department of Education. Lindbloom briefed members on the Assessment and Evaluation Program which collects data statewide, provides testing services to local school districts, and assess curriculum models. Lindbloom also discussed aspects of the

Instructional Design services provided by the Dept. The program functions to facilitate leadership and program assistance to teachers and educational administrators. The program focuses on the mastery learning program, early childhood education, parental involvement and education effectiveness programs, Lindbloom said.

Nan Skelton, Assistant Commissioner of the Department of Education discussed components of the Learner Support System, the Council on Youth program, and the Secondary Vocational program — services provided by the Dept. of Education to enhance educational opportunities.

Funding appropriations for these programs under the governor's budget proposal total \$4.8 million in FY 1988 and \$4.7 million in FY 1989.

## Education aids budget reviewed

Discussions on the governor's education aids budget continued Fri., Feb. 20, at the Education Aids Division meeting.

Assistant Commissioner of the Department of Education Dwight Lindbloom discussed the budget proposal for the Planning, Evaluation and Reporting (PER) program. Lindbloom noted that the function of the program is to review school district curriculum models and to conduct research on efficiency and effectiveness in education. In addition, the program is designed to provide staff development initiatives and facilitate program implementation.

Lindbloom discussed the Assurance of Mastery Program and reported that the governor's budget proposal recommends funding for the Assurance of Mastery Program be eliminated. The total amount appropriated for the Expectations, Education Effectiveness and Technology program is \$518,000 in FY 1988 and \$1.0 million in FY 1989.

In addition, Lindbloom discussed funding for Venture Fund Grants, Technology Demonstration Sites, State Curriculum and Technology Integration Services, and Courseware Integration Services.

## Committee reviews special programs

Norena Hale, Manager of the Special Education Division of the Department of Education, reviewed funding allowances for special education programs under the governor's budget proposal at the Education Aids Division meeting Mon., Feb. 23. Hale reviewed program objectives and state aid funding allowances for all six of the different levels of services available under the special education general fund and federal flow-through programs. The services, said Hale, are made available to all handicapped students such as the hearing impaired, the visually impaired, the physically handicapped, the speech handicapped, and the learning disabled, ranging from birth to 21 years old.

The largest funded programs noted Hale, are the speech handicapped and learning disabled programs because there are more students who require the service of these two programs. Future areas of growth reported Hale, will be the services provided to the visually impaired, the physically handicapped and the emotionally disturbed. The most notable trend, she reported, is an increase in the number of handicapped students who will be able to attend regular classroom schedules.

In addition, Hale reported that special education state aid funding increases have leveled off from 1984-1985 to 1985-1986. According to Hale's report, special education state aid has increased 3.97 percent over the two year period, increasing funding in 1984-1985 from \$132.5 million to \$138.0 million in 1985-1986. Expenditures, she reported, have increased 10.29 percent over the two year period. Under the governor's proposal, \$139.3 million would be allocated to the special education general fund in FY 1988 and \$128.6 million in FY 1989.

Hale also briefed panel members on program objectives and state aid funding allowances for Summer School Special Education programs, and Early Childhood Special Education programs, as well as special education programs funded by the federal government.

## Employment

### Injured workers' rehabilitation examined

Two orthopedic surgeons who work directly with the injured workers compensation system and two qualified rehabilitation consultants, individuals who develop rehabilitation plans for injured workers, spoke to the Injured Workers' Compensation Subcommittee, Mon., Feb. 23.

Dr. Edward LaFond, a retired surgeon from St. Cloud, told the subcommittee, chaired by Sen. A.W. "Bill" Diessner (DFL-Afton), that the compensation system "seems workable" but said doctors would benefit from more educational information on the system's rules and regulations.

Dr. John Dowdle, a surgeon and member of the Dept. of Labor and Industry Rehabilitation Board, said he has found the changes in the 1983 workers' comp law to be beneficial. He said patients are having their cases completed faster and that more of them are seeking second opinions from doctors. However, there is more need for improvement in the penalties awarded to doctors who do not act in their patients' best interests, he said. The Medical Services Review Board, which hears abuse cases against physicians, has no authority to take retributive action against a doctor, Dowdle said.

Judith Fabig, a QRC in private practice and a member of the Medical Services Review Board, described her occupation. Fabig said her services, at \$50 per hour, cost an average of \$800 per case. Rehabilitation plans are geared toward obtaining suitable, gainful employment for a worker who lost a previous job due to an injury, Fabig said. A QRC coordinates the activities of physicians, employers, attorneys, insurers and workers, she said.

Jonathan Gice, a QRC employed by an insurance company, spoke about the training available for QRC's.

### Required bankruptcy notice approved

A proposal requiring employers to notify their employees that the company has filed a petition for bankruptcy or has had an involuntary bankruptcy petition filed against it received approval from the Employment Committee, Tues., Feb. 24.

S.F. 182, authored by Sen. Marilyn Langtry (DFL-St.Paul) provides that the notification requirement also extends to job applicants at the time of a job offer.

In other action, a bill sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton) was defeated on a 5-5 split vote. S.F. 528 would have required that no minor under age 18 would be permitted to work at a job past 11 p.m. on any evening preceding a school day.

Sen. Nancy Brataas (R-Rochester), an opponent of the bill, said the control of minors described in the bill should be left up to the parents and that the bill was unnecessary. Sen. Carl Kroening (DFL-Mpls.) supported the bill and said high absenteeism is the greatest problem facing education systems. Students who are up late working are more apt to be late or absent from school, Kroening said.

The committee is chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

## Environment and Natural Resources

### Governor asked to keep LCMR

The committee accepted a motion Tues., Feb. 24, asking the governor not to eliminate the Legislative Commission on Natural Resources. The motion, proposed by Sen. Gregory Dahl (DFL-Lino Lakes), does not have the effect of law, but simply sends a message to the governor concerning the Senate's desire.

The LCMR was established in 1963 to help the Legislature evaluate programs proposed to preserve, develop and maintain the natural resources of the state. According to Rep. Douglas Carlson, chairman of the commission, the LCMR initiated several environmental programs that have benefited the state. He said it serves as a forum to review issues that don't generate enough of a constituency to gain support in the legislative process. "We're hoping to convince other legislators that this commission's worthy enough to stay on the books," Carlson added.

Committee chairman Gerald Willet (DFL-Park Rapids) said that the Legislature must approve the governor's recommendation to eliminate the commission before it becomes law. By not approving the proposal, the Legislature will have to find ways to finance the commission, he explained.

### Boat title requirement earns support

A bill requiring owners of boats longer than 16 feet 3 inches to have a certificate of title won the Subcommittee on Public Lands and Waters' approval Wed., Feb. 25. Canoes, seaplanes, duck and rice boats are exempted from the requirement, as are fishing and sail boats shorter than the established length. However, owners of these shorter boats have the option of obtaining a title for their watercraft.

The intent of the measure, according to author Sen. A.W. "Bill" Diessner (DFL-Afton), is to protect persons buying a boat. Diessner said that the titling system would help buyers and lending institutions determine if a security lien on the boat exists.

The bill, S.F. 40, will be heard next in the full committee.

In other action, the subcommittee okayed a measure conveying state land along the shore of Shagawa Lake in Ely to private persons. Sen. Douglas Johnson (DFL-Cook), sponsor of the bill, S.F. 191, said the property was part of a tract of land described in 1901 as an Assignment of Forfeited Sale to the state. Records do not show that the land was later reconveyed; however, St. Louis County records show that the land was on the tax rolls by 1925, which is the latest the county record extends. Furthermore, various owners of the land have paid property taxes since 1901, he said. The conveyance of the land ends the state's interest in the property.

### Panel takes up pipeline bill

A bill strengthening pipeline safety measures was before the full Environment and Natural Resources Committee Wed., Feb. 25, but no final action was taken. The bill, S.F. 90, contains many of the recommendations offered by the governor's commission, which was formed shortly after the Mounds View pipeline tragedy.

To help firefighters and local governments be better prepared for pipeline emergencies, the measure establishes requirements to be followed by units of government and pipeline companies. The bill creates an office of pipeline safety, which would maintain a data base on pipeline releases and coordinate emergency responses. Pipeline operators would have to file maps of their pipeline systems with the office, the Dept. of Transportation and local units of government. The operators would also file emergency response plans with the office and sheriffs in the counties being crossed by the pipeline. And, local governmental units where pipelines are located would be required to prepare emergency response plans.

The bill, sponsored by Sen. Steven Novak (DFL-New Brighton), also creates a notification center, which would serve as a one-call response unit for the prevention of damage to underground facilities. Furthermore, the Environmental Quality Board would issue routing permits for new pipelines.

The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), will consider the proposal at a later date.

## Finance

### Park, trail maintenance funds short

The governor's proposed budget for the Dept. of Natural Resources and its programs lacks funds for maintaining the state's outdoor recreational system, Deputy Commissioner Steve Thorne told the Division on State Departments Mon., Feb. 23. If the governor's funding proposals are adopted, a "serious deterioration" in the state's trail and park systems could occur, he said.

Thorne explained that the lack of funding for park, forest and trail maintenance under the governor's plan would force the department to consider eliminating functions and services in these systems. "If it means smaller state park systems with fewer dollars, than that's what we'll do," he said.

The department requested a biennial appropriation of \$1.85 million from the General Fund for park, forest and trail maintenance

# Committee Capsule

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and operations. The governor's recommendation provides no general fund money for this activity, but allows the expenditure of \$100,000 from a special revenue account.

The department also requested \$1.75 million for each year of the biennium to fund mineral diversification. Thorne said Minnesota has tremendous potential for mineral development throughout the state. The demand for industrial minerals, such as kaolin clay, has grown, thereby giving Minnesota the ability to expand this industry, he explained. Thorne added that deposits of gold, silver, platinum, chrome, copper, nickel, lead and zinc may rest in Minnesota's bedrock.

In order for Minnesota to develop its mineral potential, the state must provide exploration companies with geological data, Thorne said. The funding request would allow the state to proceed in this area. While the governor supports the concept of mineral diversification, funding for the activity is not included in his budget. However, alternative financing recommended by the Legislature may win his approval. Majority Leader Roger Moe has included mineral diversification measures in his proposed Rural Development Act.

The division, chaired by Sen. Carl Kroening (DFL-Mpls.), will continue reviewing the DNR's budget during the coming hearings.

## Commitment to Focus funding explained

University of Minnesota President Kenneth Keller presented the University's Commitment to Focus plan to the Finance Division on Education Tues., Feb. 24. The proposal would raise the U of M's instructional funding to a level equivalent to a third or fourth ranking among comparable institutions, principally within the Big 10. That would be done, Keller explained, by reducing the amount of students enrolled in the various instructional programs; by increasing instructional funding; or by instituting a combination of both.

To achieve this goal, Keller said the University would need about \$60 million for the biennium. Because of this large amount, the University recommended increasing instructional funding by about \$24 million and reducing student enrollment in the various instructional programs.

While the governor's budget includes the \$24 million funding request, the University may not achieve its improvement goal. The governor did not meet the school's budget requests in areas Keller labeled as "unavoidable costs." Thus, money appropriated for "Commitment to Focus" may not be available, Keller said. The division, chaired by Sen. Gene Waldorf (DFL-St. Paul) will act on the university's budget later this session.

In other action this week, the division began reviewing the community college systems' budget request.

## Crime victims fund faces deficit

The Crime Victims Reparations Board has been unable to pay crime victims the awards granted since last October, department officials reported Wed., Feb. 25, to the Division on Agriculture, Transportation and Semi-States. The number of claims for reparations had increased significantly since last year, creating a deficit of about \$500,000.

The department requested a General Fund appropriation of about \$2.6 million to assure financial compensation and program services. However, the governor's recommendation only meets the agency's request with a \$1.05 million appropriation from a special revenue fund.

The Crime Victims Reparation Board's request is part of the Dept. of Public Safety's budget proposal. The division, chaired by Sen. Keith Langseth (DFL-Glyndon), will take action on this and other department requests later this session.

The Energy Program within the Dept. of Energy and Economic Development would be transferred to the Dept. of Public Service, according to a proposal by the governor. The division reviewed the plan when examining the Dept. of Public Service's budget Mon., Feb. 23.

The function of the Energy Division is to reduce energy costs in both the public and private sectors through energy conservation applications. The governor recommended the same level of funding for the program; however, \$240,000 in state community energy grants would be reduced.

In other areas of the department's budget, the governor okayed a \$61,200 request for each year of the biennium allowing the department to hire two additional analysts. The new staff members would help the agency regulate Minnesota's public utilities.

The governor's funding proposal for the Minnesota Historical Society is about \$4 million short of the agency's \$28.6 million request for the biennium. The governor would like the agency to reduce its site operation costs by charging more fees. Currently, the Historical Society administers 31 historic sites throughout Minnesota.

## Prison population growth continues

In about two or three years, Minnesota's correctional facilities will have every bed filled, Dept. of Corrections Commissioner Orville Pung reported to the Division on Health and Human Services. The division, chaired by Sen. Don Samuelson (DFL-Brainerd), began reviewing the department's budget requests Wed., Feb. 25.

Pung said lawmakers may address the problem by either enlarging the correctional system—possibly moving into state hospitals or enlarging the Lino Lakes facility—or they may choose to make system changes, such as altering the sentencing guidelines or enacting an early release program. However, Pung discouraged lawmakers from considering an early release program because, he said, it undermines the sentencing guidelines.

The increase in the incarceration rate is due to the state's increase toughness in sentencing, Pung explained. One area, he cited, was the jailing of DWI offenders, which has contributed to greater placement in county jails and workhouses as well.

Earlier this week, the division wrapped-up its initial review of the Dept. of Health's budget request. Later this session, division members will begin allocations, which will eventually determine the Senate's funding levels for the various programs in the health and human services areas. From the general fund, the governor's proposal for the Dept. of Corrections is about \$195 million, and for the Dept. of Health, \$60 million.

## Governmental Operations

### Deputy registrar bill debated

Members of the Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), devoted the entire meeting Thurs., Feb. 26, to debate on a measure to phase out private deputy registrars. The discussion built on a previous hearing on S.F. 281, a bill to prohibit corporations from being designated deputy registrars.

Under a proposed amendment S.F. 281, with a new chief author, Sen. John Marty (DFL-Roseville), eliminates the six private deputy registrars with the most transactions immediately and provides that upon the death or retirement of the remaining private deputy registrars the offices would revert to the county. Most of the hearing was devoted to testimony by Marlene Swanson, Director of the Driver and Vehicular Services Division with the Department of Public Safety, as she explained the intricacies of the current system. Discussion on the bill will continue at a later date.

## Health and Human Services

### Organ donation bill advances

Improving the availability of organs and tissues for transplants is the aim of S.F. 86, said chief author Sen. Pat Piper (DFL-Austin), during her presentation of the measure Fri., Feb. 20, at the Health and Human Services Subcommittee on Health and Health

Financing. The Subcommittee, chaired by Sen. John Brandl (DFL-Mpls.), considered two almost identical bills before recommending that S.F. 86 be approved and sent to the full committee. The second measure S.F. 43, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), was not formally acted upon by the panel.

S.F. 86 requires hospitals to establish procedures for identifying potential donors and for determining whether family members consent to donation. The hospital is required to notify the closest family member, or guardian, of the option of donation or of their option to decline. Further, the bill specifies that the facts relating to notification and donation be placed in the patient's medical record. Finally, the measure also protects the family from financial liability for costs related to the evaluation for suitability or for donation.

In other action, the subcommittee began a discussion on a report on the Prepaid Demonstration Project by Bob Meyer of the Department of Human Services.

### **Health and Human Services units hear reports.**

The Health and Human Services Income Maintenance and Welfare Reform Division, chaired by Sen. Marilyn Lantry, devoted the Fri., Feb. 20, meeting to presentations on the role of job training in AFDC reform. Joseph Samargia, Commissioner of the Department of Jobs and Training, and Joseph Graba, Director of the State Board of Vocational Technical Education, told committee members of the steps their respective departments have taken to implement legislative initiatives.

The Subcommittee on Health and Health Financing devoted most of the Tues., Feb. 24, meeting to hearing testimony on the Prepaid Medical Demonstration Project. Under the project, certain Medicaid recipients are placed in health maintenance organizations in an effort to provide cost effective quality health care. Testimony on the subject will continue to explore both the benefits and problems associated with the project.

In other action, the subcommittee approved, and sent to the full committee, a bill providing for the recovery of Medical Assistance overpayments. The measure, S.F. 545, authored by Sen. Linda Berglin (DFL-Mpls.), provides that a current owner of a nursing home, boarding care home, or intermediate care facility is liable for the overpayment amount owned by a former owner for any facility sold, transferred or reorganized after the effective date of the bill. The new owners would be protected, said departmental staff, by the inclusion of a provision in the purchase order to require past owners to be financially responsible for the overpayment. The bill would only apply to situations occurring after the effective date, which the bill specifies as the day after enactment.

The Health and Human Services Subcommittee on Social Services and Government Administration, chaired by Sen. Pat Piper (DFL-Austin), also met Tues., Feb. 24. The panel approved a measure, S.F. 360, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), that would allow counties to levy a special property tax to fund the position of county senior citizen coordinator. The measure, which is permissive rather than mandatory, also includes a reverse referendum.

Subcommittee members also heard a presentation on the registration and licensure of social workers, marriage and family therapists, by Kathy Burek of the Department of Health.

### **Additional funds for WIC endorsed**

A bill providing for an addition appropriation for the WIC (Women, Infants and Children) nutritional program, providing funds for food accessibility projects and surplus commodities distribution, and establishing demonstration projects for single-site access to food assistance was approved by members of the Health and Human Services Committee Wed., Feb. 25. The bill, S.F. 185, is designed to increase participation in existing food assistance programs by eligible persons and coordinate existing food assistance programs to minimize duplication of services. The measure, sponsored by Sen. Michael Freeman (DFL-Richfield), was re-referred to the Finance Committee.

Committee members, chaired by Sen. Linda Berglin, also approved and sent to the Senate floor the bill requiring hospitals to establish a protocol to obtain organs for transplantation. The measure, S.F. 86, authored by Sen. Pat Piper (DFL-Austin), also sets

forth requirements for establishing procedures for the notification of family members and determining whether family members consent or decline the option of making an anatomical gift.

The final portion of the meeting was devoted to a presentation by Dr. Michael Resnick, Research Coordinator, Adolescent Health Program, University of Minnesota, on teenage pregnancy.

## **Judiciary**

### **Crime victims bill discussed**

A bill expanding the rights of crime victims was debated extensively at the Fri., Feb. 20, meeting of the Criminal Law Division. The bill, S.F. 232, authored by Sen. Richard Cohen (DFL-St. Paul), permits victims to submit an impact statement, detailing the effect of the crime on their lives, to the court. In addition, the measure widens the scope of victims rights to allow application of those rights to victims of ordinance violations involving bodily harm. The division, chaired by Sen. Donna Peterson (DFL-Mpls.), laid the bill over in order to continue the debate.

The Judiciary Revisor's Bill Subcommittee, chaired by Sen. John Marty (DFL-Roseville), met for the first time Thurs., Feb. 19, to begin work on bills containing corrections, deletions and amendments to outdated and archaic language in the statutes.

### **Punitive damage indemnification bill gains**

Members of the Judiciary Committee met Mon., Feb. 23, and completed work on a bill that would allow the indemnification of municipal employees for punitive damages. The measure, S.F. 53, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires municipalities to insure and defend officers and employees for punitive damages, as well as regular damages, as long as the officer or employee was acting in the performance of the duties of the position and was not "guilty of malfeasance in office, willful neglect of duty, or bad faith."

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved three additional bills. H.F. 41, carried by Sen. Randolph Peterson (DFL-Wyoming), provides for a summary report to prospective adoptive parents at the conclusion of an adoptive study by an adoption agency and provides that a child's parent need not be a co-petitioner in an adoption proceeding on behalf of the stepparent. S.F. 302, authored by Spear, repeals the law against "criminal syndicalism." Spear explained that criminal syndicalism is the doctrine which advocates crime, damage or injury to the property of an employer as a means of accomplishing industrial or political ends and that current law makes it illegal to advocate such a doctrine orally or in writing. S.F. 157, sponsored by Luther, enacts the Uniform Statutory Rule against perpetuities.

### **Crime victims' funds bill okayed**

A bill authorizing the Crime Victims Reparations Board to make grants to local law enforcement agencies or crime victim crisis centers to crime victims for emergency assistance was approved and forwarded to the Finance Committee Wed., Feb. 25, by members of the Judiciary Committee. The measure, S.F. 152, specifies that the emergency assistance grants could not exceed \$200 and could only be used to replace property that was lost, damaged, or stolen as a result of a crime, and when immediate replacement is necessary to maintain the security of the victim's residence or to supply the victim with basic necessities. The bill, authored by Sen. Marilyn Lantry (DFL-Mpls.), also spells out reporting requirements that must be followed to track the implementation of the program.

Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), also approved five additional bills. S.F. 264, authored by Spear, eliminates an exemption provision relating to discrimination in education that states that an educational institution would not be required to provide special services to disabled persons or modify its facilities or admission procedures for disabled persons. The bill does specify that educational institutions are not required to provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature. S.F. 365, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), requires DNR enforcement officers to have "probable cause" that game or

# Committee Capsule

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fish are possessed or stored in violation of game and fish laws before entering and searching buildings. The third measure gaining endorsement was S.F. 287, authored by Sen. Ember Reichgott (DFL-New Hope). The bill increases the size of estates, from \$5,000 to \$10,000, subject to collection by affidavit. An amendment, offered by Merriam, providing for the priority of nursing home costs in claims against an estate, was adopted.

S.F. 368, also sponsored by Reichgott, increases the appraisal fee that may be awarded by commissioners in contested condemnation cases from \$300 to \$500. S.F. 402, authored by Sen. Tad Jude (DFL-Maple Grove), sets uniform fees in probate proceedings at \$3.50 for uncertified documents, \$5.00 for certified documents and 25 cents per additional page. The latter two bills, S.F. 368 and S.F. 402, were approved with a recommendation for placement on the Consent Calendar.

Committee members also devoted some time to discussion of a bill that would prohibit a cause of action for damages resulting from the use of reasonable force. The measure, S.F. 31, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), was laid over pending further amendments.

## Local and Urban Government

### Committee hears report

Metropolitan Council Chairman Steve Keefe presented a summary of the Metropolitan Agencies Consolidated Financial Report to the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), Thurs., Feb. 19.

Keefe's outline included financial data from 1984 through 1986 and extended projections through 1989 for agencies including the Metropolitan Council, the Metropolitan Airports Commission, the Metropolitan Sports Facilities Commission, the Metropolitan Waste Control Commission, the Regional Transit Board and the Metropolitan Parks and Open Space Commission.

The full 78-page report includes funding sources, operating costs and assets and indebtedness for each agency.

Keefe commented that changes in funding sources have made the metropolitan agencies more self-reliant.

## Public Utilities and Energy

### Two measures advance

Members of the Public Utilities and Energy Committee, chaired by Sen. Ron Dicklich (DFL-Hibbing), approved two bills and forwarded them to the full Senate Tues., Feb. 24.

The first measure, S.F. 258, authored by Sen. Tad Jude (DFL-Maple Grove), grants the Public Utilities Commission the authority to regulate intrastate natural gas pipelines. Currently, the federal Energy Regulatory Commission has jurisdiction over intrastate gas pipelines unless a state takes the affirmative action of giving the authority to a state commission. Under the measure, the PUC is given regulatory authority over the rates, terms and contracts for the use of intrastate natural gas pipelines. The measure was recommended for placement on the non-controversial Consent Calendar.

A second measure, S.F. 378, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires the operators of power lines to trim trees and bushes that touch, grow over or encroach on the power line. Originally, the measure contained a section assigning strict liability for any damages caused by someone coming in contact with a power line to any municipality, cooperative electric association, or public utility that owned the power line. After extensive discussion, however, the strict liability section was deleted from the proposal.

### Municipal electric utility boundary bill aired

A bill designed to keep the National Steel Pellet Company's Iron Range plant open by allowing the company to purchase electric power from the Hibbing Public Utility rather than from Minnesota

Power was the focus of the Thurs., Feb. 26, meeting of the Public Utilities and Energy Committee. Under current law, a municipal electric utility may extend its service territory within its boundaries but the law requires that if the area is presently being serviced by another utility, the municipality must purchase the facilities of the utility serving the area or petition the Public Utilities Commission to determine the appropriate terms.

The bill under discussion, S.F. 134, was originally drafted to limit the compensation paid by the utility extending its service to the original utility. However, chief author Ron Dicklich (DFL-Hibbing), offered an amendment, which was adopted, to limit an electric utility's demand charge, require the PUC to consider outside income in determining rates for public utilities, establish a limit on a utility's rate of return and permit a municipal electric utility to serve large customers under specific conditions.

Dicklich, in his opening remarks stated that the aim of the bill was to insure the survival of 600 jobs at the National Steel Pellet Plant by allowing the corporation to purchase electricity at a cheaper rate than could be obtained from Minnesota Power. "I'm not going to sit back and let a monopoly push us around and wait for those iron gates to swing shut for the last time," he said.

Joe Dudak, Director of Energy for National Steel, emphasized the need to cut costs in order for the plant to remain open. Extensive questioning by committee members precluded further testimony on the measure at the Thursday hearing. Dicklich indicated that debate would continue Tues., Mar. 3.

## Taxes and Tax Laws

### Cities assess property tax reform

Representatives from two coalitions of cities appeared before the Property Tax Division, chaired by Sen. Steven Novak (DFL-New Brighton), Wed., Feb. 25, to offer comments on Gov. Rudy Perpich's property tax reform proposals.

Don Slater, Executive Director, League of Minnesota Cities, said cities are concerned that if adequate funding for property tax relief is not maintained, city property tax levels will escalate dramatically. The governor's proposal has the potential of costing city property taxpayers \$122.8 million in 1988-89, he said.

The LMC wants local government aids programs to be continued so that different needs of cities and the different capacities of cities to fund those needs are recognized, Slater said.

Tim Flaherty of the Minnesota Coalition of Outstate Cities told division members that MCOC "opposes any reduction in the appropriation for local government aid to pay for increased state funding for schools or welfare." MCOC is in favor of changes in the current property tax system which would result in increased tax base equalization and increased property tax relief for outstate commercial-industrial property, he said. Flaherty added that high commercial-industrial property taxes have hampered economic recovery in the outstate areas.

Both organizations supported some elements of the reform plan including reducing the number of property tax classifications and making restrictions on open-ended funding for property tax credits.

## Transportation

### Headphone use while bicycling prohibited

The Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), approved a bill that would extend the prohibition of wearing headphones while operating motor vehicles to include a prohibition on headphone use while bicycling. S.F. 102, authored by Sen. Don Frank (DFL-Spring Lake Park), mandates that no bicycle rider shall wear headphones or earphones while listening to or receiving broadcasts from any sound-producing or transmitting device.

In other action, Sen. Joe Bertram (DFL-Paynesville), presented the committee with a proposal that would enforce speed limit

reductions in construction zones. S.F. 131, authored by Betram, would standardized the speed limit in construction zone areas and would make the restrictions enforceable. According to Betram, under current law, speed restrictions are not enforceable because they have not been established by the Department of Transportation. S.F. 131 would set minimum and maximum speed limits for travel in construction zones and would not require an engineering and traffic investigation before authorizing the reduced speed limit.

Testimony in favor of the bill was heard from Len Levin, Commissioner of Mn./DOT, Major Ralph Church of the Highway Patrol, Ron Bultuis of the St. Cloud Dept. of Transportation, John Hoene from the Minnesota Asphalt Association, and Doug Franzen representing the Association of General Contractors of Minnesota. The proponents of the bill testified that currently speed reduction restrictions are not enforced.

The committee took no action on the bill Thurs., Feb. 26, but expects to consider it on Tues., Mar. 3, when amendments will be presented to determine actual speed limit reductions.

## Veterans

### Bill changes gambling board make-up

The governor would have to appoint a member from each

organizational class that conducts charitable gambling to the Charitable Gambling Control Board, under a bill advanced Tues., Feb. 24, by the committee. The measure, S.F. 257, essentially allows fraternal, religious and veterans organizations to be represented on the board.

The measure requires the organizational members to be either involved in the supervision of lawful gambling or be the director of the general organization that conducts the activity. Sen. A.W. "Bill" Diessner (DFL-Afton), sponsor of the bill, said these members would "provide practical insight to the board's activities."

The board's executive secretary, Roger Franke, opposed the measure. He said that no board members presently have a vested interest in lawful gambling. The proposal, he explained, could lead to the institution of special interests on the board. "I think its good regulatory policy that a citizen board makes citizen policy," he added.

Diessner countered Franke's argument by saying, "[The proposal] would not deteriorate the board, it would improve it."

The panel, chaired by Sen. Joe Bertram (DFL-Paynesville), referred the bill to the Governmental Operations Committee.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 2, 1987

**Education Committee**, Chair: James Pehler  
8:30 AM Room 15 Capitol

**Agenda:** Arts School and Resource Center report. Technology report by the Department of Education.

**Finance Committee Health and Human Services Division**, Chair: Don Samuelson  
8:30 AM Room 125 Capitol

**Agenda:** Budget overview of Department of Corrections.

**Legislative Commission on Pensions and Retirement**,  
8:30 AM Room 10 SOB

**Agenda:** Report from the commission actuary. Reports from fund administrators. Consideration of bills relating to five year vesting and quarantine. Early retirement under the rule of 85.

**Agriculture Committee**, Chair: Charles Davis  
10:00 AM Room 112 Capitol

**Agenda:** S.F. 215-Pehler: Providing for research on the problem of stray voltage. S.F. 426-Stumpf: Agricultural Resource Loan Guaranty Board.

**Judiciary Committee**, Chair: Allan Spear  
10:00 AM Room 15 Capitol

**Agenda:** S.F. 259-Jude: Peace officers soft body-armor reimbursement fund. S.F. 296-Peterson, D.C.: Eminent domain relocation benefits. S.F. 376-Marty: Confidentiality for drinking age violation arrest records. S.F. 409-Cohen: Reporting of suspected past child abuse. S.F. 424-Berglin: Limiting disclosure of child abuse reporter to false, bad faith reports. S.F. 522-Cohen: Notification of personal representations of claims filed with court.

**Transportation Subcommittee on Transit**, Chair: Steven Novak  
10:30 AM Room 118 Capitol  
**Agenda:** Metro Mobility.

**Economic Development and Housing Committee**, Chair: Don Frank  
12:00 PM Room 15 Capitol

**Agenda:** Confirmation of Mr. Robert Worthington as Chair of the Minnesota Housing Finance Agency Board. S.F. 351-Pehler: Extending housing and redevelopment authority interest reduction program. S.F. 84-Dahl: Authorizing energy and economic development authority to make loans and grants and to guarantee loans to small business investment companies.

**Local and Urban Government**, Chair: Robert Schmitz  
12:00 PM Room 107 Capitol

**Agenda:** S.F. 225-Adkins: Providing for powers of town boards and board members; elections; town cemetery. S.F. 193-Novak: Ramsey County; authorizing county to use certain land dedicated as open space for highway.

**Employment Subcommittee on Injured Workers Compensation**,  
Chair: A.W. "Bill" Diessner  
1:00 PM Room 112 Capitol

**Agenda:** Sandra Fowler, benefits administrator and Barbara Nelson, Rehabilitation-Placement person. Members of Medical Services Review Board, Donald Jensen, D.C. and John Quast, M.D.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division**, Chair: Randolph Peterson  
3:00 PM Room 15 Capitol

**Agenda:** Aids Budget re: Expanded student opportunities including Arts School and Resource Center.

**Finance Committee State Departments Division, Chair:** Carl Kroening  
3:00 PM Room 123 Capitol

**Agenda:** Budget overviews of the Department of Human Rights, Councils on the Handicapped, Spanish-Speaking Affairs, Indian Affairs, Black Minnesotans, and Asian-Pacific Minnesotans.

**Education Committee Education Aids Division, Chair:** Randolph Peterson

7:00 PM Room 15 Capitol

**Agenda:** Agency budget re: unique populations, Fairbault academies, Community-Adult Education, child nutrition, professional licensing, and library development.

## Tuesday, March 3, 1987

**Employment Committee, Chair:** Florian Chmielewski  
8:00 AM Room 107 Capitol

**Agenda:** S.F. 618-Chmielewski: unemployment insurance; quarterly reporting system. Speaker Gene Sampson, MN Department of Jobs and Training.

**Transportation Committee, Chair:** Clarence Purfeerst  
8:00 AM Room 112 Capitol

**Agenda:** S.F. 282-Luther: Relating to metropolitan government; permitting regional railroad authorities to engage in certain activities. S.F. 304-Jude: Computation of metropolitan transit tax reduction for certain cities and towns. S.F. 131-Bertram: Construction zone speed limit reduction.

**Governmental Operations Committee, Chair:** Donald Moe  
8:30 AM Room 15 Capitol

**Agenda:** S.F. 420-Peterson, D.C.: transit police. S.F. 281-Marty: relating to deputy registrars.

**Joint Senate-House Commerce Committees, Chair:** Sam Solon  
10:00 AM Room 200 SOB

**Agenda:** Overview of New Lemon Car Law, how it is working, current problems, and possible solutions. Testimony by Attorney General, Better Business Bureau, and major automobile manufacturers.

**Public Utilities and Energy Committee, Chair:** Ronald Dicklich  
10:00 AM Room 15 Capitol

**Agenda:** Continuation of S.F. 134-Dicklich: Municipal electric utility boundary extension compensation limit.

**Environment and Natural Resources Committee, Chair:** Gerald Willet

1:00 PM Room 112 Capitol

**Agenda:** S.F. 90-Novak: Pipeline safety act.

**Health and Human Services Committee, Chair:** Linda Berglin  
1:00 PM Room 15 Capitol

**Agenda:** Dr. Robert Gibson presents results of his Regional Treatment Center and mental illness staffing standards study. Pam Parker presents report on Interagency board on Quality Assurance and report on one member pre-admission screening team. Linda Sutherland presents Moratorium Task Force report and study of geographic grouping for nursing home reimbursement. S.F. 545-Berglin: Recovery of medical assistance overpayments. S.F. 360-Chmielewski: Exempting certain levies on services to the aging.

**Finance Committee Education Division, Chair:** Gene Waldorf  
3:00 PM Room 125 Capitol

**Agenda:** University of Minnesota budget continued.

**Taxes and Tax Laws Committee Income Tax Division, Chair:** Lawrence Pogemiller

3:00 PM Room 15 Capitol

**Agenda:** Review of the Governor's income tax proposal. Public Testimony will be taken, call 296-7809.

## Wednesday, March 4, 1987

**Education Committee Higher Education Division, Chair:** Gregory Dahl

8:00 AM Room 123 Capitol

**Agenda:** Joint hearing with Senate and House Higher Education committees on the assessment of quality in postsecondary education.

**General Legislation and Public Gaming Committee, Chair:** Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 192-Lessard: charitable gambling revisions.

**Agriculture Committee, Chair:** Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 69-Berg: Establishing a commercial fish raising program.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair:** Keith Langseth

10:00 AM Meet in East building of Science Museum.

**Agenda:** Tour of Science Museum.

**Judiciary Committee Civil Law Division, Chair:** Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 272-Luther: control share acquisitions. S.F. 446-Jude: statute of limitations to administrative cases; S.F. 499-Jude: real property conveyances; S.F. 448-Frederickson, D.R.: execute a judgement; S.F. 539-Reichgott: abuse protection order; S.F. 412-Luther: environmental protection lien.

**Judiciary Committee Criminal Law Division, Chair:** Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** Driving While Intoxicated bills: S.F. 243-Frank: Snowmobiles; S.F. 324-Cohen: Operating road maintenance equipment; S.F. 392-Spear: Impounding license plates; S.F. 509-Ramstad: mandatory DWI penalties; S.F. 512-Storm: mandatory minimum jail sentence; driving after revocation; S.F. 537-Jude: mandatory chemical dependency treatment for repeat offenders.

**Elections and Ethics Committee, Chair:** Jerome Hughs

11:30 AM Room 107 Capitol

**Agenda:** S.F. 381-Dicklich: school elections. S.F. 76-Frank: school elections. S.F. 100-Frank: confidentiality. S.F. 260-Stumpf: municipalities. S.F. 397-Peterson, D.C.: precincts.

**Environment and Natural Resources Committee, Chair:** Gerald Willet

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1-Moe, R.D.: Rural development act.

**Health and Human Services Subcommittee on Health and Health Financing, Chair:** John Brandl

1:00 PM Room 123 Capitol

**Agenda:** Survey of health policy research - part II. Issues and perspectives of health care in Minnesota: John Dralewski, Director, Health Services Research Center, University of MN. Ira Moscovice, Associate Professor, Health Services Research Center, University of MN.

**Health and Human Services Subcommittee on Social Services and Government Administration, Chair:** Pat Piper

1:00 PM Room 15 Capitol

**Agenda:** S.F. 342-Dahl: Grants to non-profits for on-site food program. S.F. 514-Berglin: Ombudsman of mentally ill. Public Testimony will be taken. Please call 296-9248 for your name to be placed on the agenda.

**Finance Committee Education Division, Chair: Gene Waldorf**  
3:00 PM Room 123 Capitol  
**Agenda:** University of Minnesota Budget Continued.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**  
3:00 PM Room 125 Capitol  
**Agenda:** Office of Full Productivity and Opportunity. Budget overview and Governor's welfare reform proposals. Department of Jobs and Training budget overview.

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 107 Capitol  
**Agenda:** Continuation of budget overviews on state departments.

**Tax and Tax Laws Committee Sales Tax Division, Chair: LeRoy Stumpf**  
3:00 PM Room 15 Capitol  
**Agenda:** S.F. 547-Johnson, D.J.: Governor's sales tax bill.

## Thursday, March 5, 1987

**Transportation Committee, Chair: Clarence Purfeerst**  
8:00 AM Room 112 Capitol  
**Agenda:** S.F. 200-Dahl: Authorizing loan agreement with commissioner of DOT and Anoka County for development of a new Highway 10. S.F. 465-Vickerman: MN/DOT Omnibus.

**Governmental Operations Committee, Chair: Donald Moe**  
8:30 AM Room 15 Capitol  
**Agenda:** Finance department bill.

**Commerce Committee, Chair: Sam Solon**  
10:00 AM Room 112 Capitol  
**Agenda:** S.F. 80-Waldorf: Flexibility of homeowners insurance. S.F. 49-Dahl: Prohibiting surcharge on credit cards. S.F. 457-Luther: regulation of collection agencies. S.F. 322-Waldorf: collection of spent lead-acid batteries.

**Economic Development and Housing Committee, Chair: Don Frank**  
12:00 PM Room 15 Capitol  
**Agenda:** To be announced.

**Local and Urban Government Committee, Chair: Robert Schmitz**  
12:00 PM Room 107 Capitol  
**Agenda:** S.F. 39-Diessner: State Mandates. S.F. 433-Wegscheid: State mandates. S.F. 417-Bertram: City of St. Stephen; bonds; civic building.

**Senate will be in session at 2:00 PM**

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 125 Capitol  
**Agenda:** Budget overviews of the MN Tax Court and the Department of Revenue.

**Health and Human Services Subcommittee on Health and Health Financing, Chair: John Brandl**  
7:00 PM Room 15 Capitol  
**Agenda:** S.F. 310-Waldorf: Living Will - patient rights act.

## Friday, March 6, 1987

**Finance Committee Education Division, Chair: Gene Waldorf**  
10:00 AM Room 125 Capitol  
**Agenda:** AVTI reports and budget, by Joe Graba. Public testimony will be heard.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 372-Peterson, D.C.: Crime Victim reparations. S.F. 374-Peterson D.C.: Tampering with a witness. S.F. 421-Merriam: Attachments of financial assets of persons charged with a felony.

**Health and Human Services Committee on the Income Maintenance and Welfare Reform Division, Chair: Marilyn Lantry**  
1:00 PM Room 15 Capitol  
**Agenda:** Legislative Auditor's report on AFDC and the MN Senate research report on AFDC.

**For further information or last minute additions please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088**

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

## Briefly

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# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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## The Minnesota Senate Week in Review March 6, 1987

### Panel forwards pipeline safety bill

A bill strengthening pipeline safety measurers gained the support of the Environmental and Natural Resources Committee Tuesday, March 3. Sponsored by Sen. Steven Novak (DFL-New Brighton), the measure reflects recommendations offered by the governor's commission, which was formed in response to the Mounds View pipeline tragedy.

To better prepare firefighters and local governments for combating pipeline emergencies, the bill, S.F. 90, establishes requirements to be followed by governmental units and pipeline companies. The bill creates an office of pipeline safety, which would maintain a data base on pipeline releases and coordinate emergency responses. Pipeline operators would have to file maps of their pipeline systems with the office, the Dept. of Transportation and local governments. The operators also would file emergency response plans with the office and sheriffs in the counties being crossed by the pipelines. And, local governments would be required to prepare emergency response plans.

A one-call notification center is also created under the bill. The center would respond to inquiries by excavation companies for the prevention of damage to underground facilities. Furthermore, the Environmental Quality Board would issue routing permits for new pipelines.

The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), sent the bill to the Judiciary Committee.

### Draft registration allows tuition aid

Males who are required to register for the draft must do so before becoming eligible for post-secondary school scholarships or grants, according to a plan approved by the Veterans Committee Thursday, March 5. The bill, S.F. 369, sponsored by Sen. Donald Storm (R-Edina), originally prohibited males not registered from enrolling in the state's university or colleges. But, the committee changed the bill to reflect similar provisions in federal law.

Storm, who did not speak in opposition to the amendment, argued that the bill is a means of encouraging draft registration compliance. "It seems appropriate that those wishing to receive [state] benefits comply with the laws," he said.

Sen. Keith Langseth (DFL-Glyndon) disagreed. "Should we be using educational policy in Minnesota to enforce federal law?" he asked committee members. Langseth added that the proposal penalizes males without due process of law. "In this great country of ours you're innocent until proven guilty, and you're not proven guilty until you go through a court of law," he said.

Chaired by Sen. Joe Bertram (DFL-Paynesville), the panel referred the measure to the Education Committee for further consideration.

### Computer phone call regulation okayed

A bill regulating the use of automatic dialing and announcement devices gained preliminary approval at the Thursday, March 5, session of the Senate. According to chief author, Sen. Allan Spear (DFL-Mpls.), "the bill represents a middle ground approach to the regulation of these devices—it does not ban computerized phone

solicitations but it does place restrictions on them."

The measure, S.F. 184, requires that the devices must disconnect within 10 seconds of the recipient's hanging up the telephone and it requires that prerecorded messages be preceded by a live operator who would identify the caller, state the purpose of the message and identify the goods or services being promoted. Exceptions to the requirement of having a live operator would be permitted in the case of messages from a school district, messages advising employees about work schedules and messages about merchandise or services that were previously ordered. The measure also provides for civil penalties for violations of the proposed law.

Senators also granted preliminary approval to a bill providing for the indemnification of municipal employees for punitive damages. The measure, S.F. 53, authored by Sen. William Luther (DFL-Brooklyn Park), requires municipalities to insure and defend officers and employees for punitive damages, as well as regular damages, as long as the officer or employee was acting in the performance of the duties of the position and was not guilty of malfeasance in office, willful neglect of duty or bad faith.

One measure on the Consent Calendar and four bills on the Senate Calendar gained final passage during Thursday's session. The Consent Calendar bill, S.F. 368, authored by Sen. Ember Reichgott (DFL-New Hope), increases appraisal fees awarded by commissioners in eminent domain proceedings. S.F. 302, authored by Spear, repeals the crime of criminal syndicalism. S.F. 157, sponsored by Luther, enacts the Uniform Statutory Rule against perpetuities. S.F. 245, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the city of Moorhead to issue an on-sale liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center. S.F. 378, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), requires owners of electric power lines to trim trees and bushes around the lines and provides that failure to do so is a nuisance.

### Bill creates mental health ombudsman

The Social Services and Government Administration Subcommittee began work Wednesday, March 4, on a measure that would establish the position of Mental Health Ombudsman. The bill, S.F. 514, authored by Sen. Linda Berglin (DFL-Mpls), was drafted in response to recommendations of the Governor's Commission on Mental Health. The bill also sets forth the powers and responsibilities of the ombudsman and provides for the organization, and staffing of the ombudsman's office.

According to Susan Lentz, a member of the commission, the office of mental health ombudsman is designed to act as a mediator, negotiator and investigator in the mental health system. The new office would not be an enforcement agency according to Lentz. The subcommittee, chaired by Sen. Pat Piper (DFL-Austin) plans to continue hearing testimony on the bill at a subsequent hearing.

In other action, the panel approved a bill authorizing grants for programs that collect perishable food from restaurants and bakeries and distribute the food to non-profit organizations providing on-site food programs. The bill, S.F. 342, is authored by Sen. Gregory Dahl (DFL-Coon Rapids)

# Committee Capsule

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## Agriculture

### Committee approves research study

A measure providing for further study the effect of electrical currents on livestock was okayed by the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Priceton), Mon., March 2.

Under S.F. 215, authored by Sen. James Pehler (DFL-St. Cloud), the state would allocate \$67,000 for research into health problems associated primarily with dairy cattle. Farmers claim that calcium deficiencies, reproductive problems and infections that fail to heal are caused by as yet unknown sources of electricity.

Joe Kenning, a farmer from St. Cloud testified that installing isolation transformers to control electric shock of his cattle has been of some benefit. However, it is the other immeasurable electrical currents which are the cause of many serious health related problems, Kenning said.

Following recommendation of two University of Minnesota professors and a veterinarian, the panel agreed to change the title of the focus of the study from "stray voltage" to "electromagnetic fields" to more accurately define the problem.

Other amendments offered by Pehler and approved by the committee were changing the authority of administering the grant from the University of Minnesota to the Dept. of Agriculture, and requiring that a report of the study be submitted by the commissioner of agriculture to the House and Senate Agriculture Committees by Feb. 1, 1989.

The bill was referred to the Finance Committee.

### Committee hears aquaculture bill

The Agriculture Committee examined S.F. 69, which establishes a commercial aquaculture program in the state and heard testimony on the bill, Wed., March 4.

When outlining the bill for the committee, Sen. Charles Berg (DFL-Chokio), the bill's author, said the measure moves the jurisdiction of aquaculture, or fish farming, from the DNR to the Dept. of Agriculture; provides that the commissioner of agriculture promote aquaculture; lists the fish which may be commercially raised, including the non-indigenous tilapia; and states that tilapia must be raised in self-contained units so they may not enter open waters.

According to those who spoke in opposition to the bill in subcommittee hearings during the last few weeks, the risk of tilapia escaping into open waters and contaminating native fish populations was the cause for major concerns with the bill.

The introduction of tilapia was of secondary concern to Dr. Anne Kapuscinski, Assistant Professor, Dept. of Fish and Wildlife and an aquaculture extension specialist at the University of Minnesota. Kapuscinski told the committee the primary issue is the establishment of a fish farming program. Rather than implementing the program through a bill, she advocated the establishment of a task force composed of experts in aquaculture, economic development, engineering, the DNR and others, to develop an overall aquaculture plan for the state.

Also during the meeting, committee members sampled tilapia cooked three different ways. Reactions to the fish were generally favorable.

Further discussion of the bill will continue Mon., Mar. 9.

## Commerce

### Committee discusses Lemon Car Law

Members of the Senate and House Commerce Committees, chaired by Sen. Sam Solon (DFL-Duluth), met Tues., Mar. 3, to discuss issues concerning proposed changes for the Minnesota Lemon Car Law.

The committee first heard from Doug Blanke from the Attorney General's Office. According to Blanke, the Lemon Car Law arbitration rules provide limited maximum remedies and do not address basic fairness principles. Blanke also noted that support for arbitration programs is essential because alternative litigation is expensive and timely.

Attorney General Hubert Humphrey III testified before the committee and announced that in the coming weeks, amendments for the 1983 Lemon Law would be proposed to the House and the Senate. According to Humphrey, there are too many noted cases that do not provide the lemon car owner with fair access to arbitration. "Our proposal," he said, "would require that car buyers be notified of arbitration hearings, would mandate that car owner's be informed of the lemon law, and that owner's be reimbursed for car expenditures incurred while settling the dispute."

Ford Simms, Director of Sales and Service Legislative Affairs for General Motors, examined the three-step arbitration process adopted by General Motors. When the customer is dissatisfied with the automobile purchase, the customer is told to make arrangements with the dealer who sold the customer the car. If the problem is not then resolved, the customer is told to contact the regional services division of the company. The third step, said Simms, is mediation or arbitration. If arbitration is pursued, the Better Business Bureau (BBB), takes the case. According to Simms, General Motors spends \$1.0 million in administrative costs per month on the arbitration program. "We think it works, customer satisfaction has increased, and it's a fair, inexpensive, and prompt process," he said.

Ron Graham, President of the BBB, also testified before the committee supporting Humphrey's proposal for fair, private and accessible arbitration. "There is an increased awareness among consumers regarding the lemon law. In 1986, the BBB conducted 298 arbitration cases," he reported. Graham also noted that in 1986 the BBB reported 30 percent of their cases resulted in General Motor car buy-backs, in comparison with Chrysler's four percent.

A final presentation was given by Keith Cheresko and Charles Herman of the Ford Motor Company. Cheresko reported that the Ford Company supports the arbitration procedure. However, Cheresko noted that Ford conducts their arbitration cases in their own Consumer Appeals Court, does not notify plaintiff's of when their case will be heard, and does not disclose the number of buy-backs they issue.

Members of the Commerce Committee challenged Cheresko and Herman on these actions, stating that it is the consumer's right to know of court proceedings and to be in attendance during the hearing.

### Homeowner's insurance policy approved

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), adopted a delete all amendment to S.F. 80, Thurs., Mar. 5. The bill, authored by Sen. Gene Waldorf (DFL-St. Paul), requires that insurance agencies selling homeowner's insurance must make available at least one policy coverage plan for which the buyer has the option of specifying the amount of homeowner's insurance coverage. In addition, committee members adopted an amendment to the bill which states that the premium covered shall accurately reflect the reduced risk.

In other action, the panel members approved S.F. 222. The bill, authored by Waldorf, provides that an individual selling or offering lead-acid batteries must be responsible for collecting and retaining the batteries after the battery lifetime has been exhausted.

Sen. Gregory Dahl (DFL-Coon Rapids), presented the committee with a bill that would prohibit retailers from imposing a surcharge on credit cards without the customer's knowledge. According to Dahl, S.F. 49 is fully supported by consumers and credit card companies.

No action will be taken on the bill until the provisions are examined more closely.

## Economic Development and Housing

### Housing and redevelopment bill is approved

A bill designed to extend housing and redevelopment authority interest reduction programs was approved by the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), Mon., Mar. 2. S.F. 351, sponsored by Sen. James Pehler (DFL-St. Cloud), extends interest reduction assistance payments from January 1, 1989 to January 1, 1995. According to Pehler, since federal aid for housing and redevelopment programs has declined, S.F. 351 would keep housing and redevelopment grant and bond payments at a low level.

The bill was re-referred to the Tax Committee.

Panel members also approved S.F. 82. The bill, authored by Sen. Gregory Dahl (DFL-Coon Rapids), proposes to offer certified Minnesota venture capital companies a 25 percent tax credit. "There are immediate up front benefits with this bill, in addition to making Minnesota's business climate more attractive," Dahl said.

Dahl and Sen. Tracy Beckman (DFL-Bricely), agreed that while there are already programs in the state that provide economic development incentives, there are still a lot of proposals for development that are not, and have not been met.

S.F. 82 was re-referred to the Tax Committee.

Dahl also presented the committee with a proposal that would authorize the Minnesota Housing Finance Agency to make loans and grants to small business investment companies. According to Dahl, S.F. 84 would mandate that any small Minnesota business that receives a loan or a grant must agree to invest an amount equal to or greater than the amount of the obtained loan or grant in the state.

No action will be taken on the bill until the committee discusses provisions of the bill further and hears from representatives of the Minnesota Housing Finance Agency and the Department of Energy and Economic Development.

## Education

### Committee examines technology programs

Discussion continued on the Post-Secondary Enrollment Options (PSEO) Act report Mon., Mar. 2, at the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud). Jessie Montano from the Department of Education reviewed the fiscal impact of PSEO, noting that while the program is small in size, so too is the fiscal impact. Montano also discussed admission standards, the feasibility of implementing statewide advanced placement programs, two-way televised instruction, PSEO summer school programs, counseling services, and non-public school participation. According to Montano, the governor's budget proposal does not recommend any changes for this program over the next biennium.

Diane Morehouse from the Department of Education gave a report on the Technology Demonstration Program. Morehouse reported that the program, which services 96 school districts, has succeeded in developing a significant awareness among staff and students on how to integrate computers and other types of technology into the regular classroom.

Phyllis Lacroix, Chair of the Technology Advisory Committee, reported that the Technology Demonstration Site program has been remarkably successful. According to Lacroix, the Technology Demonstration program has addressed professional development needs, courseware integration, research development and the promotion of instructional design and planning initiatives.

### Panel reviews assessment programs

Members of the Senate and House Higher Education Committee Divisions, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Wed., Mar. 4 to hear reports on post-secondary education quality assessment programs in the country.

Carol Boyer, Senior Policy Analyst from the Education Commission of the States, briefed panel members on how states and state leaders can improve undergraduate education. Boyer suggested that state leaders join education leaders because quality

education is now viewed as a public policy issue as well as an education issue. Citing a quality assessment survey, Boyer reported that one-third of the state boards surveyed indicated that their role in determining education policy is minimal; one-half said they see the state boards as playing an active role in facilitating quality assessment programs; and one-third said they believe they instigate quality assessment program design and implementation.

Edward Morante, Director of the College Outcomes Project in New Jersey, discussed outcomes of post-secondary assessment tests in the state of New Jersey. Encouraging and strengthening assessment programs is mandatory, said Morante. In order to provide students with the training and education they need, and to improve student learner outcomes, we must continue to facilitate assessment programs, he said.

Michael Hillman, member of the South Dakota Board of Regents, examined the implementation of South Dakota's assessment program. According to Hillman, although there have been some administrative and organizational problems in developing the assessment program, test results have provided undergraduate institutions with valuable learner outcomes.

A final presentation was given by Executive Director of the Washington Higher Education Coordinating Board, A. Robert Theony. According to Theony, assessment programs can be very successful. To the Minnesota legislators, he recommended that when developing an assessment program, state policy makers and education officials work together to develop the program, to be aware that assessment programs cost money, that an effective program cannot be done inexpensively, and that assessment programs need to be multi-faceted.

## Education Aids

### Committee discusses education budget

The Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), approved S.F. 371, Fri., Feb. 27. The bill, sponsored by Sen. Dennis Frederickson (IR-Morgan), proposes that the State Education Board may authorize a transfer of money from any fund or account other than the debt redemption fund.

Discussions continued on the education aids budget concerning special education programs. Norena Hale, Manager of the Special Education Programs at the Department of Education reviewed the Limited English Proficiency Program which provides funds and inservice training to help students speak, read, and write English. The Dept. has estimated that in FY 1986 a total of 8,544 students were served in 114 school districts. The governor's budget proposal, Hale reported, recommends that \$2.9 million be appropriated for the Limited English Proficiency Program in FY 1988 and \$3.3 million in FY 1989.

Hale also reviewed the Refugee Children, Immigrant Children, and Migrant Special Education Program services funded by the federal government. According to Hale, in FY 1986, 13,433 refugee children were served in 58 Minnesota school districts at a cost of \$443,496. Nearly 2,900 immigrant students were served at a cost of \$187,515, down from \$223,900 in FY 1985. Funding for the Federal National Migrant Special Education Center has declined from \$188,370 in FY 1985 to \$175,000 in FY 1986, she said.

Tom Storm, Manager of the Secondary Vocational Division at the Dept. of Education discussed education opportunities and federal and state aid funding for handicapped secondary students. According to Storm, the governor's budget recommends that \$3.7 million be appropriated for FY 1988 and \$4.3 million in FY 1989 for the state funded Secondary Vocational Handicapped Program.

A final presentation was given by Susan Job and Tom Melcher of the Dept. of Education. Job reported that the governor's budget recommends a 2.5 percent annual revenue increase for all special education programs except for handicapped transportation services. Under the governor's proposal, revenue appropriations total \$359.0 million, an increase of 7.9 percent over FY 1986-1987. In addition, Job reported the governor has proposed a special education formula change, one that would improve funding equity among school districts.

# Committee Capsule

## Special education programs reviewed

Members of the Education Aids Division gathered Mon., Mar. 2, to discuss the governor's budget recommendations for expanded student educational opportunity programs.

Dr. David Longanecker, Director of the Higher Education Coordinating Board (HECB), reported that the HECB has requested increased funding for the summer school scholarship program. The Summer School Program, which began in 1986 and received \$75,000 in FY 1986, has been recommended by the governor to receive \$213,700 for the program in FY 1987.

Claire Rumpel, Government Relations Director for the Department of Education reported that the Voluntary Choice Program provides aid to school districts with less than 750 actual pupil units that experience a loss of students. The governor's budget proposal, Rumpel said, appropriates \$500,000 for the Voluntary Choice Program in FY 1988-1989.

Assistant Commissioner Nan Skelton discussed Secondary Vocational program implementation and progress. Tom Storm, from the Dept. of Education, discussed funding for the secondary vocation programs. According to Storm, the governor's budget proposal recommends that \$19.5 million be appropriated for secondary vocational program in FY 1988 and \$11.2 million in FY 1989. Tom Melcher from the Education Aids and Levies Division of the Dept. of Education, discussed changes in secondary vocational education funding formulas for FY 1987-1989.

A report on the governor's funding proposal for the Faribault Residential Academies was given by Wade Karli, Director of the Faribault Schools. According to Karli, the institution has requested change level funding in order to expand summer school programs, to increase staff, and to provide funding for building repairs. Karli reported that the governor has denied these requests and has suggested that the Faribault Academies raise the amount of tuition \$10,000 per year effective in the fall of 1987. Karli mentioned that the governor has made this recommendation on the premise that he feels districts ought to pay a larger proportion of the costs incurred to maintain the Faribault Academies.

Dr. David Beaulieu, from the Dept. of Education discussed program initiatives and funding for Indian education programs. Beaulieu reported that the Indian programs serve approximately 4,716 American Indian students and close to 56,890 non-Indian students. The governor's budget proposal, said Beaulieu, recommends an appropriation of \$588,355 for FY 1988 and \$588,355 for FY 1989 for Indian language and culture programs.

A report on the Minnesota Academic Excellence Foundation which supports programs such as the Knowledge Bowl, the Inventor's Fair, and the Minnesota Talent Search, was given by Peggy O'Hare of the Minnesota Academic Excellence Foundation. O'Hare reported that the governor's budget proposal appropriates \$150,400 for the program in FY 1988, compared with \$75,533 in FY 1987, and \$150,400 in FY 1989.

Jim Undercofler, Director of the Minnesota Arts and Resource Center, discussed funding and program implementation initiatives for the Minnesota Arts and Resources Center. According to Undercofler, the first year will concentrate on operating concerns and the student selection process. In the second year, Undercofler said, the school will move into a rented facility and will serve 100 tenth grade students and 100 eleventh graders. Eventually, the School will enroll approximately 950 students. Under the governor's recommendation, funding for the school will total \$2.5 in FY 1988 and \$4.0 million in FY 1989.

Additional reports examining program objectives and funding presented to the committee included: the Gifted and Talented Program; the Comprehensive Arts Planning Program; and developmental programs for four and five-year old children.

## Elections and Ethics

### School board election bills presented

A bill requiring common school district elections to be

administered in the same manner as municipal elections was presented to the Election and Ethics Committee Wed., Mar. 4. S.F. 381, authored by Sen. Ronald Dicklich (DFL-Hibbing), would make school district elections uniform across the state and would allow school board elections to be held at any time the school board chooses.

Tom Dean, Legal Counsel for the Minnesota School Board Association, testified before the committee and recommended that the bill be amended to broaden provisions to clarify the coordination of school and municipal elections.

Committee Chairman, Sen. Jerome Hughes (DFL-Maplewood), laid the bill over until further testimony is presented.

A similar bill, S.F. 76, authored by Sen. Don Frank (DFL-Spring Lake Park), was presented to the committee. S.F. 76 provides for applying general election law to school district election law. The purpose of the bill, said Frank, is not only to improve voter turnout, but to mandate uniformity among state elections.

Carl Johnson of the Minnesota School Board Association testified before the committee in opposition to changing the election date. According to Johnson, school board representatives believe school board election visibility is good in May. "We don't need a president or a governor to run in order for people to understand that there is a school board election," he said.

S.F. 76 was laid over until the committee can further discuss provisions of the bill.

S.F. 100, authored by Frank, was also presented to the committee. S.F. 100 changes current law to remove the prohibition of persons who are subject to a written complaint or an investigation from disclosing information concerning the complaint or investigation.

Mark Afinson, a representative from the Minnesota Newspaper Association, testified in opposition of the bill stating that the provision is unconstitutional — "We could possibly be talking about powerful people here, and the disclosure of such information is vital." Afinson said that unless there was evidence that the current law has grievously affected individuals, there is no justifiable reason for this provision.

S.F. 100 also proposes to increase legislative campaign contribution disclosure limits.

No action will be taken on S.F. 100 until further testimony is heard.

## Employment

### Panel hears from benefits review board

The injured workers' compensation subcommittee, chaired by Sen. A.W. "Bill" Diessner (DFL-Afton), heard from two members of the Medical Services Review Board and three job placement specialists who work with injured workers, Mon., Mar. 2.

Dr. Donald Jensen, a White Bear Lake chiropractor, and Dr. John Quast, an M.D. at St. Joseph's Hospital in St. Paul, described the review board's function and certain problems the board has encountered.

According to Jensen, the review board's purpose is to adjudicate medical disputes in workers' compensation claims. The 13-member board is composed of members appointed by the commissioner of labor and industry.

Both Jensen and Quast said the process of deciding on cases could be streamlined by adding more law clerks to assist with the complexities encountered with the claims. Quast recommended that powers of the review board be more clearly defined.

Placement specialists Sandra Fowler, Paul Larson and Barbara Nelson outlined their job responsibilities placing injured workers in new jobs or in making arrangements for the injured worker to return to the job they held previous to the injury.

### Agency offers new wage report system

The Employment Committee heard an overview of the federally mandated wage reporting system and a bill which brings the state in line with the mandate, Tues., Mar. 3.

Commissioner of the Dept. of Jobs and Training Joe Samargia said the state must make the conversion from its present wage reporting system by 1988 or fail to take advantage of federal funds available for administering the system. It cost the state \$1.5 million last year to manage the reporting system, Samargia said.

The department's director of unemployment insurance, Terry Clark, said the proposal the department designed requires employers to report wages for all employees on a quarterly basis. Currently, only wages for employees who file unemployment claims are reported, he said. The proposal, embodied in S.F. 618, authored by Committee Chair Florian Chmielewski (DFL-Sturgeon Lake), also changes the formula for determining the duration of benefits. There would be only a minimal change in the amount an unemployed worker receives in benefits, Clark said.

Benefits to the state in enacting the bill are more accurate and prompt information, lower administrative costs, reduced incidence of fraud, more accurate tax collection and the potential for unemployment trust fund savings, Clark said.

The committee heard public testimony on the bill Thurs., Mar. 5.

Nancy Christianson, Director of Labor and Management Relations, Minnesota Chamber of Commerce, said businesses "cannot afford to change over to the wage record system provided for in this bill." The bill would allow more money and easier access to unemployment payments by seasonal or "itinerant" workers, she said.

Margaret Boyer of the Child Care Workers Alliance said the bill does not address the difficulty low-wage, part-time workers experience gaining eligibility for unemployment benefits. Boyer said low-wage and part-time workers seldom get any benefits and she saw unemployment insurance as one possible benefit they might attain. The major obstacle is the \$108 per week salary requirement, she said.

## Environment and Natural Resources

### Pheasant propagation discussed

The Subcommittee on Fish and Wildlife heard a plan to shift 80 percent of the revenue generated from the sale of pheasant stamps from habitat development to stocking and predator control, Fri., Feb. 27.

Sen. Charles Berg (DFL-Chokio), author of S.F. 543, and chair of the subcommittee, said he offered the bill to generate discussion on how to increase current pheasant populations. The population is presently at an all time low, according to Berg and Roger Holmes, chief of the DNR's Wildlife Division. Holmes told the subcommittee the decline is due to harsh winters, not the lack of stocking of the birds.

Sporting organizations, individual hunters and the DNR are at odds as to how to improve the pheasant population and how to allocate the money generated from the sale of pheasant stamps. The major alternatives have been habitat development, stocking and predator control.

No action was taken on the bill.

### Waste water program transfer possible

The Environment and Natural Resources Committee began reviewing the Rural Development Act, S.F. 1, which provides economic development initiatives for Minnesota's rural areas. While the committee took no action on the bill, they did reinstate a proposal Wed., Mar. 4, transferring the waste water treatment grant program from the Pollution Control Agency to the suggested Minnesota Public Finance Authority, which would assist state or local jurisdictions in the financing of infrastructure projects.

Last week, the Subcommittee on Environmental Protection removed the transfer provision from the bill. Sen. Gene Merriam (DFL-Coon Rapids), who suggested keeping the program with the PCA, said the transfer would place too great an emphasis on economic development rather than environmental protection. The full committee reinstated the transfer after incorporating language

assuring that the grant awards for the construction of the waste water treatment facilities be done in accordance to the PCA ranking, which is based upon environmental protection considerations.

In addition to establishing the finance authority, the bill, sponsored by Majority Leader Roger Moe (DFL-Erskine), creates a Rural Development Board to coordinate rural development activities and provide technical services to organizations in rural areas. The board would be responsible for a program establishing grant funds in six rural regions of the state. The funds would be used to provide revolving loans and equity investments in new and expanding rural businesses. The board also would be responsible for Rural Rehabilitation Project grants to organizations supporting farm-related rural development projects.

The bill also authorizes the Minnesota Job Skills Partnership to establish two new programs to provide customized training grants to educational institutions for new or expanding businesses in rural Minnesota. And, the Higher Education Coordinating Board would administer grants to assist displaced workers in paying tuition costs for post-secondary public institutions.

## Finance

### Improvements to hiring process proposed

The Dept. of Employee Relations would like to improve the state's employment hiring and testing process, and the governor has okayed funds to make some changes. The agency's budget request was before the Division on State Departments Wed., Mar. 4.

According to Commissioner Nina Rothchild, the governor approved \$12.1 million of the agency's total \$14 million request. Under the governor's plan, \$267,000 would be used to speed up the hiring and testing process. By doing this, the state would be able to secure better candidates for employment, Rothchild explained. The delay in hiring discourages qualified applicants from taking state employment, she said.

Another \$634,000 would help redesign the state's system of processing applications, setting examination schedules, scoring tests, and referring qualified candidates to available jobs.

Also under the governor's plan, the agency would receive \$280,000 to upgrade a computer system providing other agencies access to their information and training records, job audit data, grievance tracking logs, affirmative action data and jobs bulletins. The money also would be used to replace equipment for the state's payroll processing system.

Also this week, the division, chaired by Sen. Carl Kroening (DFL-Mpls.), completed review of the Dept. of Natural Resources budget. A concern among committee members is the amount of user fees being charged by the department. Deputy Commissioner Steve Thorne said the state has reached a limit on the variety of sources for user fees. He said the container deposit proposal, which would provide funding for the state's RIM program, would, if enacted, mark the first time the state would charge people other than hunters and anglers for fish and wildlife protection.

### University's budget review continues

The Division on Education, chaired by Sen. Gene Waldorf (DFL-St. Paul), continued their review this week of the University of Minnesota's budget request. Last week, President Kenneth Keller explained the "Commitment to Focus" plan, which would raise the U of M's instructional funding to a level equivalent to a third or fourth ranking among comparable institutions by increasing instructional funding and by reducing the amount of students enrolled in various instructional programs.

Keller told committee members that the governor's budget does not adequately fund the plan. He said the governor failed to meet the school's budget request in areas of "unavoidable costs." Thus, money appropriated for Commitment to Focus would have to be used in other areas.

Any action on the University budget will occur later this session.

# Committee Capsule

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## Corrections budget before panel

Dept. of Corrections Commissioner Orville Pung continued explaining the agency's request this week for members of the Division on Health and Human Services. The governor's general fund proposal for the department is \$195 million.

Pung told committee members that Minnesota's correctional facilities will have every bed filled in about two or three years. He suggested that lawmakers address the problem by either enlarging the correctional system or by making system changes, such as altering the sentencing guidelines.

In other action, the division, chaired by Sen. Don Samuelson (DFL-Brainerd), heard Keith Ford, Director of the Office of Full Productivity and Opportunity (OFPO), outline the welfare and jobs funding proposals recommended by the OFPO management team. Ford compared their recommendations Wed., Feb. 4, to the governor's proposed budget.

## Division tours science museum

The Division of Agriculture, Transportation and Semi-State agencies toured the Science Museum of Minnesota Tues., Mar. 3. Earlier this session, the museum presented their budget proposals for the coming biennium.

The governor recommended a biennial appropriation of \$182,000 for the science museum. That money would allow the organization to increase its efforts in bringing science programs to the rural areas of the state. Also under the governor's plan, additional money was provided for inflationary increases for employee salaries.

The division, chaired by Sen. Keith Langseth (DFL-Glyndon), also this week completed review of the Dept. of Public Safety's budget request.

## General Legislation and Public Gaming

### Gambling revisions brought forth

A bill proposing several changes to the state's charitable gambling laws came before the General Legislation and Public Gaming Committee Tues., Mar. 3. Committee action on the bill was delayed until next week to allow public testimony on several controversial provisions.

One key provision of the bill allows organizations to keep more of the net profits for covering allowable expenses. Under current law, 50 percent of the profit from bingo games may cover expenses, and the other half must be donated to a charity. For other forms of legal gambling, such as pull-tabs, at least 60 percent of the profit must go to charity and 40 percent be used for expenses. The bill, S.F. 192, sponsored by Chair Sen. Bob Lessard (DFL-Int'l. Falls) raises the allowable expenses by five percent. And, small organizations, those who have less than \$150,000 in gross receipts from bingo in a year, may keep 70 percent of the net profit from bingo events for allowable expenses.

Another proposed change increases the number of bingo occasions that an organization may conduct per week. Currently, an organization may not hold more than two occasions weekly, unless this limit is waived by the Charitable Gambling Board. A provision in the bill allows an organization to hold seven bingo occasions weekly. Furthermore, the limit on the amount of bingo occasions that may occur at one site during a week is raised from 4 to 21.

Other proposed changes include restricting manufacturers and distributors from becoming involved in conducting lawful gambling; allowing taxes paid to the federal government to be deducted by an organization before net profit is computed; and giving the board's executive secretary authority to suspend the operation of a game if some impropriety is evident.

## Governmental Operations

### 1985 Jobs bill implementation updated

A comprehensive review of the implementation of the 1985 jobs

bill is the task of the Governmental Operations Subcommittee on the 1985 Jobs Act. The Subcommittee, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Fri., Feb. 27 to hear a progress report by Commissioner Joe Samargia of the Department of Jobs and Training.

Samargia briefed the panel on the number of completed projects and on several projects that were still in progress. In addition, Keith Ford of the Office of Full Productivity and Opportunity continued a presentation on the coordination of activities between state agencies. Ford also presented a comparison of the Office of Full Productivity and Opportunity management team's budget recommendations and the governor's budget recommendations for welfare and jobs funding.

### Arrest authority on MTC vehicles okayed

Members of the Governmental Operations Committee met Tues., Mar. 3, and approved a measure authorizing peace officers hired by the Metropolitan Transit Commission to make arrests within the metropolitan area. The bill, S.F. 420, authored by Sen. Donna Peterson (DFL-Mpls.), allows the off-duty officers hired by the MTC to make arrests outside of their appointing jurisdiction.

According to John Farrell, Assistant Chief Administrator of Transit Operations, the measure is needed because many of the routes pass through several cities and under current law an off-duty officer may only make arrests in his home jurisdiction. Under the bill, officers while on duty for the MTC could make arrest throughout the seven metropolitan counties. In addition, Farrell said that because the MTC is a common carrier, it has a legal obligation to provide safety and security throughout the transit system. The bill also specifies that the powers of arrest may only be exercised in connection with investigations authorized by the commission that relate to commission property, equipment, employees, and passengers.

The bill was re-referred to the Committee on Judiciary.

Committee members, chaired by Sen. Don Moe (DFL-St. Paul), continued their discussion of S.F.281. The measure, sponsored by Sen. John Marty (DFL-Roseville), provides for the phase-out of private deputy registrars and requires that counties retain control of deputy registrar appointments.

### Finance Department bill gains

The Thurs., Mar. 5, meeting of the committee was devoted to discussion of a technical measure that would clarify provisions in the statute governing the Finance Department. The bill, S.F. 675, authored by Don Moe (DFL-St. Paul), was amended to remove a section that would reduce the operating budgets of state agencies that use the master lease program. According to departmental staff, the other provisions of the measure were generally of a non-controversial nature and were drafted in order to "improve the administration of the Department of Finance and of state government." The bill was referred to the Finance Committee.

## Health and Human Services

### Panels continue overviews

Both the Income Maintenance and Welfare Reform Division and the Subcommittee on Health and Health Financing met Fri., Feb. 27, and continued to hear presentations on pertinent health and human services issues.

The Income Maintenance and Welfare Reform Division, chaired by Sen. Marilyn Lantry (DFL-St. Paul), considered the topic of "Transitioning from Public Assistance to Self-Sufficiency." Five speakers gave presentations illustrating the increased emphasis on the transition away from income subsidy to self-sufficiency. John Petrabourg, Maimie Wertz and David Barry from the Department of Human Services; Winnifred Brown, Special Projects Director of the Women's Economic Development Corporation; and Jerry Vitzhum, Director of the Anoka County Job Training Center Work Readiness Program, all appeared before the committee.

The Subcommittee on Health and Health Financing, chaired by Sen. John Brandl (DFL-Mpls.), also heard a presentation on the

Department of Human Services' proposal to control the use of ancillary services such as physical therapy, speech therapy, and occupational therapy in long-term care facilities.

In addition, the subcommittee approved two bills and sent them to the full committee. S.F. 541, authored by Brandl, clarifies the provisions for reimbursement of semi-independent living services for persons with mental retardation or related conditions. S.F. 532, authored by Sen. Jim Vickerman (DFL-Tracy), clarifies the methods of determining cost of care at regional treatment centers and clarifies the responsibility for setting rates and collecting payment for cost of care at state nursing homes.

### Human Services reports heard

Members of the full Health and Human Services Committee met Tues., Mar. 3, to hear three reports. Dr. Robert Gibson, Chief Executive Officer of the Sheppard-Pratt Psychiatric Hospital, Baltimore, Maryland presented the results of the Regional Treatment Center and Mental Illness Staffing Standards Study. Pam Parker, Executive Director of the Department of Human Services Interagency Board on Quality Assurance presented the board's report on One Member Pre-Admission Screening Team. Linda Sutherland, Director of the Human Services Division of the State Planning Agency presented the Moratorium Task Force Report and Study of Geographic Grouping for Nursing Home Reimbursement.

In other action, the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), approved a bill providing for the recovery of medical assistance overpayments. Sen. Duane Benson (IR-Lanesboro) attempted to amend the bill, S.F. 545, to establish requirements for intermediate care facilities-mental retardation rate appeals, but was unsuccessful in the attempt. The bill, authored by Berglin, was referred to the Finance Committee.

### Health issues presented

Speakers from the University of Minnesota's Center for Health Services Research appeared before the Subcommittee on Health and Health Financing, Wed., Mar. 4, to complete their presentations on issues in health care. John Kralewski, Director of the Center and staff members Ira Moscovice and Rosalie Kane focused on the issues of rural health care, long term care for the aged and dilemma brought about by cost, access and quality trade-offs. In addition, the speakers outlined some alternative approaches for subcommittee consideration.

## Judiciary

### Removal of gender language approved

Legislation removing certain gender references in Minnesota statutes gained approval from the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove), Fri. Feb. 27.

S.F. 440, authored by Sen. Pat Piper (DFL-Austin), makes 24 changes in the statutes either through amendment or repeal of sections. The bill was referred to the full committee.

Other measures approved and sent to the Judiciary Committee were S.F. 349, authored by Sen. Randolph Peterson (DFL-Wyoming), which standardizes conciliation court enforcement proceedings among counties, and H.F. 127 (Jude), which allows that adoptive parents may rescind a pledge for a voluntary contribution that they made to an adoption agency.

### Property crime penalty changes endorsed

A bill making numerous changes in the laws dealing with property crimes gained the approval of the Criminal Law Division and was recommended to the full committee at the Fri., Feb. 27 hearing.

S.F. 286, authored by Sen. Allan Spear (DFL-Mpls.), increases the penalty for a petty misdemeanor from \$100 to \$200 except for traffic violations and violations for possession of a small amount of marijuana. The measure also allows a prosecutor to certify a misdemeanor as a petty misdemeanor without the consent of defense counsel. In addition, the bill establishes a gross misdemeanor theft penalty of not more than one year and not more

than \$3,000; changes the cutoff point between gross misdemeanor theft and felony theft; and provides that persons who have been previously convicted of gross misdemeanor or felony theft will be subject to a felony penalty if the property value exceeds \$200. The measure also classifies criminal damage to property into the first, second and third degree. One section of the bill deals with crimes against a person by providing for enhancement of fourth-degree assault. The bill provides that it is a gross misdemeanor to be convicted of fifth-degree assault against the same victim within five years of a previous conviction.

The most controversial portion of the bill, Spear said, is a provision creating the new crime of check forgery and setting forth the penalty provisions. Under the bill, checks are excluded from the existing aggravated forgery statute and the new crime is defined as making or altering a check with intent to defraud. The bill also conforms the penalties for credit card fraud to those for check forgery. Finally, the bill imposes a maximum cash bail of double the fine for persons charged with misdemeanor and gross misdemeanor offenses. However, bail of four times the fine is allowed for specific offenses.

### Bullet proof vest reimbursement gains

Most of the Mon., Mar. 2, meeting of the Judiciary Committee meeting was devoted to discussion of a bill providing peace officers with partial state reimbursement for the purchase of bullet proof vests. The measure, S.F. 259, authored by Sen. Tad Jude (DFL-Maple Grove), sets up a program to reimburse peace officers who purchase soft body-armor that meets or exceeds the standards described by the National Institute of Law Enforcement and Criminal Justice. As originally drafted the measure would have required the state to reimburse the peace officers for 50 percent of the purchase price or \$250 which ever was less. However, an amendment offered by Sen. Richard Cohen (DFL-St. Paul), altered the reimbursement formula to require that the local municipality pay one-third, the state pay one-third and the peace officer pay one-third. The bill was approved and referred to the Finance Committee for further action.

Committee members, chaired by Sen. Allan Spear (DFL-Mpls.) also began discussion on a measure limiting the disclosure of a child abuse reporter's name to those instances in which the report was false and made in bad faith. The bill, S.F. 424 sponsored by Sen. Linda Berglin (DFL-Mpls.), was laid over for further discussion.

### DWI bills considered

The Criminal Law Division devoted the Wed., Mar. 4, hearing to discussion of five bills pertaining to driving while intoxicated laws. The division, chaired by Sen. Donna Peterson, approved one measure but took no action on the other bills pending further discussion and amendment. S.F. 243, authored by Sen. Don Frank (DFL-Spring Lake Park), provides that the DWI and implied consent laws apply to the operation of snowmobiles anywhere in the state or on the ice of a boundary water; provides that the hit-and-run and criminal negligence provisions of the law are applicable to snowmobiles, and includes snowmobiles under the provisions relating to repeat DWI violations. The bill gaining division approval S.F. 324, sponsored by Sen. Richard Cohen (DFL-St. Paul), makes the DWI laws applicable to highway workers by removing specific exemptions regarding alcohol- or controlled substance-related activities of persons engaged in work upon highways.

S.F. 392, authored by Sen. Allan Spear (DFL-Mpls.), provides for the mandatory surrender of license plates and registration certificates of motor vehicles by repeat DWI offenders. S.F. 537, sponsored by Sen. Tad Jude (DFL-Maple Grove), requires a mandatory chemical dependency evaluation for repeat DWI offenders, requires the offender to attend a chemical dependency program if the evaluation indicates a need for treatment, and provides for a mandatory minimum sentence of up to 30 days or 240 hours of community work for the repeat offender. S.F. 512, authored by Sen. Don Storm (IR-Edina), imposes a mandatory sentence of at least 30 days imprisonment for DWI offenders caught driving while intoxicated after their license has been canceled, suspended or revoked for a DWI offense.

# Committee Capsule

## Division advances three measures

Members of the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove) advanced three bills to the full committee and began discussion on a fourth at the Wed., Mar. 4, hearing. S.F. 448, authored by Sen. Dennis Frederickson (IR-Morgan), clarifies the procedure and cost for filing foreign judgments and clarifies the procedure to be used in securing a judgment. S.F. 272, sponsored by Sen. William Luther (DFL-Brooklyn Park), delays the effective date, from Aug. 1, 1987 to Aug. 1, 1988, of an amendment to the control share acquisition statute that provides for a switch from an "opt-out" provision to an "opt-in" provision in the application of the statute. S.F. 499, sponsored by Jude, makes several changes in the statutes relating to real property.

Division members also began work on a measure that makes several changes in statutes relating to the Domestic Abuse Act. The bill, S.F. 539, is sponsored by Sen. Ember Reichgott (DFL-New Hope).

## Local and Urban Government

### Panel approves park board, fire hall bills

The Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan), approved S.F. 279 and placed it on the consent calendar. The bill, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the city of Brook Park to borrow \$20,000 from a bank to add to funds already raised by the city to build a fire hall.

A second bill, S.F. 306, authored by Sen. Tad Jude (DFL-Maple Grove), removing the limits on the amount city park board members may be compensated, was approved and sent to the Senate floor.

A third bill restricting the location of certain state-licensed group homes within areas zoned residential, died in the committee. S.F. 199, authored by Sen. Gregory Dahl (DFL-Coon Rapids), received strong opposition from the Mental Health Association of Minnesota, the Minnesota Mental Health Law Project and the Minnesota Association for Retarded Citizens.

### Powers of town boards examined

A bill extending the governmental powers held by cities to township boards was defeated in the Local and Urban Government Committee by a 5-4 vote, Mon., March 2, but was resurrected through a move to reconsider the measure shortly before adjournment of the meeting.

Sen. Betty Adkins (DFL-St. Michael), the bill's author, told the panel, "Over the years townships have found they have the same problems and responsibilities as cities. Every year townships must come back to the Legislature for special legislation." If the statutes were changed, townships would have the option to adopt the powers, she added.

Several senators questioned whether the township boards would want the authority and responsibility provided in the bill, but Sen. Darril Wegscheid (DFL-Apple Valley), said the Legislature's prevailing "paternalistic" attitude toward local governments should be discarded. "It's time to move the government out to the people that have the most at stake," he said.

Dick Cox, a St. Michael attorney representing the Minnesota Association of Townships, said many townships are no longer rural, but urban, and that they are experiencing the same growth and contracting problems encountered by cities, he said.

Sen. Robert Schmitz (DFL-Jordan), committee chair, laid the bill on the table and said the issue will be discussed at a later date.

Another bill, S.F. 193, authored by Sen. Steven Novak (DFL-New Brighton), was approved and placed on the consent calendar. S.F. 193 authorizes the transfer of a tract of Ramsey County land to the City of Shoreview which will build a fire station on the land, and allows certain lands now deemed open space land in Ramsey County to be used for highway improvement.

## Public Utilities and Energy

### National Steel—Minnesota Power bill gains

A bill aimed at saving 600 jobs at the National Steel Pellet Company by allowing the company to purchase cheaper electric power from the Hibbing Public Utilities rather than from Minnesota Power dominated two Public Utilities and Energy Committee hearings this week. Testimony on S.F. 134 was heard Tues., Mar. 3 and Thurs., Mar. 5, before committee members voted to recommend the bill for passage and send it to the full Senate. The measure, sponsored by Committee Chairman Ronald Dicklich (DFL-Hibbing), allows a municipality to service a customer who had a connected load in excess of 25,000 kilowatts upon completion of that customer's contract by payment of wheeling charges to the utility, and by notifying the Public Utilities Commission by Jan. 1, 1987, of the municipality's intention to service the customer at the end of the customer's contract.

Sen. Jim Gustafson (IR-Duluth), called the dispute between Minnesota Power and the National Steel Pellet Company a "classic no-win situation" and offered an amendment which would have required the Public Utilities Commission to resolve any dispute relating to the city of Hibbing extending its electric service area within a certain time. The amendment was opposed by Dicklich and failed to gain the committee's endorsement on a 5-7 roll call vote. The bill was then approved on a voice vote.

## Taxes and Tax Laws

### Division considers income tax reform

The Income Tax Division heard reactions to Gov. Rudy Perpich's proposal to eliminate pension exclusions, school expense deductions, and the partial elimination of the non-game wildlife check-off, Tues., March 3.

Interspersed with public testimony were explanations of the pertinent sections of S.F. 445 by Dept. of Revenue officials. S.F. 445, authored by Sen. Douglas Johnson (DFL-Cook), contains the governor's proposals for income tax reform.

Assistant Commissioner of Revenue John Haynes said the bill eliminates the non-game wildlife check-off for the sake of simplification. 1.3 million residents are expected to use the new proposed short form when filing their 1987 taxes, he said.

Thomas McGuigan of the National Audubon Society and Nelson French of the Nature Conservancy opposed the deletion of the check-off because of a potential loss in donations to the wildlife fund. About \$800,000 was raised last year from the check-off, McGuigan said.

On the issue of pension exclusions for senior citizens, Haynes said the proposal to eliminate the \$11,000 exclusion is a result of the growing number of pension programs and pensioners. The tax break cost the state \$75 million in 1986 and could cost \$116 million by 1989 if the change is not made, Haynes said.

Eugene Daly, representing the Coalition for Retired Employees, opposed the plan because it would mean substantial tax increases for some pensioners and not others. He said he favored tax reform but that if undertaken, it should result in fairness to all taxpayers.

Joseph O'Neill, Legislative Counsel for the Minnesota Citizens for Educational Freedom, an organization of parents with children enrolled in non-public schools, said the deduction for school expenses is a positive educational policy which should not be dropped. Currently, parents of approximately 110,000 students in both non-public and public schools use the deduction, O'Neill said.

Sen. Lawrence Pogemiller (DFL-Mpls.), chair of the division, said the panel will continue hearings on S.F. 445 Tues., Mar. 10 and Tues., Mar. 17.

### Sales tax impact on non-profits examined

Gov. Rudy Perpich's sales tax reform proposals specifically extending the six percent sales tax to non-profit, charitable and religious organizations was the focus of the Sales Tax Division meeting, Wed., Mar. 4.

Dept. of Revenue Assistant Commissioner John Haynes told the division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), that the state could broaden its tax base by \$300 million per biennium through reform of the current sales tax system, \$69.2 million of which could be raised from the sales tax charges to non-profit organizations.

Greg Heck, a department of revenue attorney, provided an overview of sections of S.F. 547, the sales tax bill authored by Sen. Douglas Johnson (DFL-Cook), pertaining to the sales tax extension and Revenue Commissioner Tom Triplett offered a rationale for the extension. "Frankly, we need the dollars to meet the spending requirements that the governor feels are necessary," Triplett said.

Representatives from several organizations spoke to the division about the loss of operating funds they would experience if the extension is enacted.

More public testimony on S.F. 547 will be taken at future meetings, Stumpf said.

## Transportation

### Metro Mobility issues examined

Members of the Transit Subcommittee of the Transportation Committee, representatives from the Regional Transit Board (RTB), the Metro Center for Independent Living and the Minnesota State Council for Handicapped met Mon., Mar. 2, to discuss changes recently implemented by the RTB for the Metro Mobility program.

The Metro Mobility program provides transportation services to disabled persons who cannot use regular transit services. According to Judy Hollander, Director of Planning and Programs at the RTB, demands and costs for Metro Mobility services have increased dramatically over the past years. As a result, Hollander said, service quality and availability has deteriorated. To improve cost effectiveness, quality and service, the RTB implemented a new program for Metro Mobility in October of 1986.

In addition to service and quality improvement, a \$10 annual fee has been instated for user's, and trip fares have increased, said Mark Ryan, Project Manager for Metro Mobility. "But riders have noted more ease scheduling their trips, and in 1987, we expect to provide 120,000 more trips," said Ryan.

Mary Jo Nichols, Support Services Coordinator for the Metro Center for Independent Living, Mary O'Harrach-Anderson, Director of the Metro Center for Independent Living, Mike Ehrlichmann and Kurt Strom from the Minnesota State Council for Handicapped testified in opposition to the new Metro Mobility system. According to the opponents, the fare increase is prohibitive; safety measures such as driver training and vehicle inspections need to be enforced and vehicle standardization adopted.

Discussion on the impact of Metro Mobility program changes will continue at the full Transportation Committee.

### Light rail studies permitted

A bill permitting regional rail authorities and political subdivisions to undertake studies of light rail systems in the metropolitan area was approved by the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), Tues., Mar. 3. S.F. 282, sponsored by Sen. William Luther (DFL-Brooklyn Park), does not remove the prohibition for the Metropolitan Council, the Regional Transit Board, and the Metropolitan Transit Commission from using public funds to conduct studies on light rail planning and use.

John Derus, Hennepin County Commissioner, testified in favor of the bill permitting rail authorities to examine possible light rail routes in Hennepin County. Derus stated that the implementation of a Hennepin County light rail system would provide efficient transit service as well as increase the usage of other transit systems in the metropolitan area.

The committee also approved S.F. 304. The bill, authored by Sen. Tad Jude (DFL-Maple Grove), adjusts mill rates for taxes that are levied on property by the Regional Transit Board (RTB). According to Jude and proponents of S.F. 304, the bill recognizes that under current legislation, persons who are not serviced by the RTB are required to pay certain property taxes. The bill would become effective for taxes levied in 1987 and payable in 1988.

S.F. 304 was re-referred to the Finance Committee.

S.F. 131, presented to the Transportation Committee Thurs., Feb. 26, was also approved by panel members after the committee adopted an amendment to S.F. 131 by bill author Sen. Joe Bertram (DFL-Paynesville). S.F. 131 proposes that speed limits be no less than 20 miles per hour and no greater than 40 miles per hour in construction zones areas.

### Committee approves construction proposal

A measure authorizing Anoka County to loan money to the Minnesota Department of Transportation (Mn/DOT) to begin designing and planning construction of the new Highway 10 was approved by the Transportation Committee, Thurs., Mar. 5. S.F. 200, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), would require that Mn/DOT repay the loan in ten equal annual installments after contracts for the construction have been implemented.

S.F. 200 was re-referred to the Finance Committee.

In other action, the committee approved legislation that would remove the requirement that tax exempt vehicles be registered in the county in which the vehicle owner resides. S.F. 465, authored by Sen. Jim Vickerman (DFL-Tracy), also mandates that speed limits be reduced in construction work zones; prohibits reckless driving on airport property; amends the definition of peace officer; and eliminates a requirement that aircraft dealers maintain their business at an airport.

## Floor Action

### Power line safety bill gains

A bill requiring power companies to trim trees and bushes around power lines gained preliminary approval during the Mon., Mar. 2, floor session. The measure, S.F. 378, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides that if power companies fail to trim vegetation the local unit of government may declare it a nuisance. The landowner could then sue the power company and recover damages according to the language of the bill.

Senators also granted preliminary approval to a measure requiring employers to notify employees and job applicants of bankruptcy proceedings. The measure, S.F. 182, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), originally contained a gross misdemeanor penalty against employers who failed to notify their employees. Sen. Howard Knutson (IR-Burnsville) offered an amendment that would reduce the penalty to a misdemeanor. The amendment was adopted.

Other bills gaining preliminary approval included: S.F. 302 (Spear), repealing the crime of criminal syndicalism; S.F. 157 (Luther), enacting the Uniform Statutory Rule against perpetuities; and S.F. 245 (Langseth), authorizing the city of Moorhead to issue an on-sale liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center.

Seven measure gained final passage; five on the Senate Calendar and two on the Consent Calendar. The Consent Calendar contains bills that are of a non-controversial nature. The two bills were S.F. 258, authored by Sen. Tad Jude (DFL-Maple Grove), providing for the regulation of certain intrastate gas pipelines and S.F. 402, also authored by Jude, setting uniform fees in probate proceedings.

The other five measures gaining final passage were on the Senate Calendar which means that each bill has had two prior readings, had been acted upon by one or more standing committees and had been printed. In addition, bills on the Senate Calendar have been favorably recommended by the Senate acting as a Committee of the Whole when the bills were on the General Orders Calendar.

S.F. 139 and S.F. 117, both authored by Sen. Ron Dicklich (DFL-Hibbing), authorize St. Louis County to issue off-sale liquor licenses to the townships of Clinton and Sturgeon. S.F. 94, authored by Sen. Charles Davis (DFL-Princeton) required an itemized billing for hearing aid repairs. S.F. 25, sponsored by Sen. Duane Benson (IR-Lanesboro) allows the Amish to use black and white slow moving vehicle emblems rather than orange emblems. H.F. 41, carried by Sen. Randolph Peterson (DFL-Wyoming), provides that proposed adoptive parents may obtain reports or records resulting from the adoption investigation and provides that a child's parent need not join as co-petitioner in a stepparent adoption.

# Preview

## The Minnesota Senate Week at a Glance

Monday, March 9, 1987

**Education Committee Higher Education Division, Chair: Gregory Dahl**

8:00 AM Room 15 Capitol

**Agenda:** S.F. 350-Pehler: Appropriating money to state university board for women's intercollegiate athletics. S.F. 452-DeCramer: Expands HECB's career guidance program; changing membership on career guidance advisory task force.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

8:30 AM Room 125 Capitol

**Agenda:** Continuation of the budget overview of the Department of Jobs and Training.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 69-Berg: establishing a commercial fish raising program. S.F. 426-Stumpf: Agricultural Resource Loan Guaranty Board.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Budget hearing for: Historical Society Fiscal Agents, Public Utilities Commission, Transportation Regulation Board, MN Wisc. Boundary Area Commission, MN Safety Council, and Board of Accountancy.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 539-Reichgott: abuse protection order. S.F. 446-Jude: statute of limitations to administrative cases.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 243-Frank: DWI snowmobiles. S.F. 605-Bertram: making it a crime to use a police band radio while committing a crime. S.F. 611-Renneke: permitting amateur radio operator access to police emergency communications. S.F. 372-Peterson, D.C.: Crime victims reparations board. S.F. 374-Peterson, D.C.: Tampering with a witness extended to intimidation.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 PM Room 15 Capitol

**Agenda:** S.F. 506-Morse: Providing for administration of state's low-income housing credit.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 PM Room 107 Capitol

**Agenda:** City of Duluth: S.F. 470-Solon: filing of plat of Spring Valley. S.F. 479-Solon: bonds to purchase capital equipment. S.F. 480-Gustafson: establish a design advisory committee; procedures.

**Employment Subcommittee on Injured Workers Compensation, Chair: A.W. "Bill" Diessner**

1:00 PM Room 112 Capitol

**Agenda:** Testimony regarding injured workers compensation by the following: Don Loscheider and Jane Reutter, QRC's; Dr. Larry Schutt, Chair, Medical Services Review Board; Joseph Sweere, D.C., Chair, Worker's Comp Rehabilitation Panel.

Senate will be in session at 2:00 PM

**Education Committee Education Aids Division, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Agency budget regarding: Unique populations, community/adult education, child nutrition, professional licensing, and library development.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 125 Capitol

**Agenda:** budget overview on the Dept. of Veterans Affairs; Indian Affairs Council, Council on Black Minnesotans, and Asian-Pacific Council.

**Legislative Commission on the Economic Status of Women, Chair: Ember Reichgott**

7:00 PM Room 112 Capitol

**Agenda:** Public hearing on the topic of "Parental Leave". Anyone wishing to testify should call 296-8590 or 1-800-652-9747.

Tuesday, March 10, 1987

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** Outstate transit systems.

**Governmental Operations Committee, Chair: Donald Moe**

8:30 AM Room 15 Capitol

**Agenda:** S.F. 257-Diessner: relating to gambling. S.F. 377-Marty: State Council for the Handicapped.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 128-Spear: wine and 3.2 beer licenses allowed to serve strong beer. S.F. 291-Stumpf: Counties to issue seasonal liquor licenses. S.F. 406-Dahl: motor vehicle franchise regulations. S.F. 482-Metzen: regulation of termination of insurance agency contracts. S.F. 457-Luther: regulation of collection agencies.

**Environment and Natural Resources Committee, Chair: Gerald Willet**

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1-Moe, R.D.: Rural Development Act.

**Health and Human Services, Chair: Linda Berglin**

1:00 PM Room 15 Capitol

**Agenda:** Sandra Gardebring, Department of Human Services will provide an overview of child abuse laws - reporting and enforcing. S.F. 586-Marty: Clarifying the Department of Corrections' authority in licensing and supervising facilities and restitution by inmates of state property destruction. S.F. 599-Samuelson: Department of Human Services shared service agreement. S.F. 414-Hughes: child abuse trust fund. S.F. 342-Dahl: grants to non-profits for on-site food program. S.F. 541-Brandl: semi-independent living services. S.F. 532-Vickerman: clarification, costs, rates of state nursing homes, insurance settlements. S.F. 673-Piper: standards for chemical dependency professionals. S.F. 529-Diessner: regulating handicapped in state facilities. Public testimony will be taken on S.F. 586, S.F. 599, S.F. 414, S.F. 673, and S.F. 529, (others were heard in subcommittee) if you wish to testify call 296-4261. Items not Completed by 3:00 PM will be continued at 7:00 PM tonight in room 15 Capitol.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 125 Capitol

**Agenda:** Finish U of M Agriculture Research, and MN Extension Service items. Public testimony. Call 296-3809 to have your name put on the agenda.

**Finance Committee State Departments Division, Chair: Carl**

Kroening

3:00 PM Room 123 Capitol

**Agenda:** Finish the court's budget overview; Board on Public Defense; and the Public Defender's Office.

**Taxes and Tax Laws Committee Income Tax Division, Chair:**

Lawrence Pogemiller

3:00 PM Room 15 Capitol

**Agenda:** Review of Governor's income tax proposal. Public testimony will be taken please call 296-7809.

**Agriculture Subcommittee Agricultural Credit, Chair: LeRoy**

Stumpf

7:00 PM Room 112 Capitol

**Agenda:** S.F. 112-Dahl: Establishing an agricultural linked deposit program.

## Wednesday, March 11, 1987

**Education Committee, Chair: James Pehler**

8:00 AM Room 15 Capitol

**Agenda:** Arts School and Resource Center report, Jim Undercofler, Director. S.F. 544-Pehler: Providing for area learning centers.

**General Legislation and Public Gaming Committee, Chair: Bob**

Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 724-Schmitz: relating to horse racing; modifying the purse structure; modifying taxes.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** Agriculture Extension - Agriculture Experiment Station — Where are we heading?

**Finance Committee Agriculture, Transportation, and Semi-States**

Division, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Budget hearings for the Board of Animal Health and the Dept. of Agriculture.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 15-Chmielewski: county recovery for medical assistance. S.F. 16-Chmielewski: county recovery for medical assistance. S.F. 412-Luther: environmental protection lien. S.F. 538-Peterson, R.W.: trust investment standards.

**Judiciary Committee Criminal Law Division, Chair: Donna**

Peterson

10:00 AM Room 15 Capitol

**Agenda:** DWI bills: S.F. 390-Spear: Correction of statutes. S.F. 391-Spear: DWI and assaults. S.F. 392-Spear: continuation of impounding license plates. S.F. 537-Jude: mandatory Chemical dependency treatment for repeat offenders. S.F. 512-Storm: mandatory minimum jail sentences.

**Elections and Ethics Committee, Chair: Jerome Hughes**

11:30 AM Room 107 Capitol

**Agenda:** S.F. 487-Luther: voter registration. S.F. 397-Peterson D.C.: changing precincts.

**Governmental Operations Subcommittee on the Implementation of the 1985 Jobs Act, Chair: Lawrence Pogemiller**

12:00 PM Room 15 Capitol

**Agenda:** continued review of the implementation of the 1985 Jobs Act.

**Health and Human Services Subcommittee on Health and Health**

Financing, Chair: John Brandl

1:00 PM Room 15 Capitol

**Agenda:** S.F. 278-Berglin: education money for advisory councils. S.F. 359-Berglin: personal needs allowance. S.F. 593-Berglin: pre-admission screening. All items not completed by 3:00 PM will be continued at 7:00 PM tonight in Room 15 Capitol. Those wishing to testify please call 296-4837.

**Health and Human Services Subcommittee on Social Services and**

Government Administration, Chair: Pat Piper

1:00 PM Room 123 Capitol

**Agenda:** S.F. 620-Hughes: eliminates supportive living residences; establishes third level of care for mentally ill. S.F. 514-Berglin: ombudsman for mentally ill. S.F. 619-Lantry: information management system for mentally ill. S.F. 616-Lantry: foster care payments. S.F. 224-Berglin: exception to rate cap. S.F. 566-Lantry: supplemental aid for licensed board and care facilities. All items not completed by 3:00 PM will be continued tonight at 7:30 PM in room 123 Capitol. Anyone wishing to testify should call 296-9248.

**Finance Committee Agriculture, Transportation, and Semi-States**

Division, Chair: Keith Langseth

3:00 PM Room 112 Capitol

**Agenda:** Department of Agriculture hearing continued.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 123 Capitol

**Agenda:** Continuation of public testimony if necessary.

**Finance Committee Health and Human Services Division, Chair:**

Don Samuelson

3:00 PM Room 125 Capitol

**Agenda:** Budget overview of the Department of Human Services.

**Finance Committee State Departments Division, Chair: Carl**

Kroening

3:00 PM Room 107 Capitol

**Agenda:** To be announced.

**Taxes and Tax Laws Committee Property Taxes and Local**

Government Aids Division, Chair: Steven Novak

3:00 PM Room 15 Capitol

**Agenda:** Public testimony on property tax alternatives.

**Legislative Commission on Pensions and Retirement,**

5:00 PM Room 10 SOB

**Agenda:** Reports from: Commission Actuary, Fund Administrators, Executive Director, of the State Board of Investment. Consideration of bills relating to five year vesting and pension guarantee. Early retirement under the rule of 85.

**Health and Human Services Subcommittee on Health and Health**

Financing, Chair: John Brandl

7:00 PM Room 15 Capitol

**Agenda:** S.F. 310-Waldorf: Living Will - patients rights act. Those wishing to testify please call 296-4837.

## Thursday, March 12, 1987

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** S.F. 91-Chmielewski: Drug testing in the workplace.

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** Continuation of hearing on Metro Mobility.

**Governmental Operations Committee, Chair: Donald Moe**

8:30 AM Room 15 Capitol

**Agenda:** To be announced.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 15 Capitol

**Agenda:** Confirmation of Darrel L. Peterson to the Public Utilities Commission. S.F. 488-Frank: Public Utilities Commission certificate of need approval and fees.

**Economic Development and Housing Committee, Don Frank**  
12:00 PM Room 15 Capitol

**Agenda:** S.F. 521-Berglin: creation of urban revitalization action program for cities of St. Paul and Minneapolis. S.F. 468-Reichgott: Authorizing and establishing an institute for Invention and Innovation. S.F. 533-Gustafson: Hermantown; extends period that land held by city for economic development is tax exempt.

**Local and Urban Government Committee, Chair: Robert Schmitz**  
12:00 PM Room 107 Capitol

**Agenda:** S.F. 339-Johnson, D.J.: Loans for firefighting facilities. S.F. 504-Lessard: Nashwauk; annexation; between town and city. S.F. 403-Bertram: Newspapers; only qualified newspapers may accept legal notices for publication.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Aids budget regarding: community and family education; health, safety, and nutrition programs; professional development; miscellaneous; and libraries.

**Finance Committee State Department Division, Chair: Carl Kroeving**

3:00 PM Room 125 Capitol

**Agenda:** Budget overview on the Dept. of Labor and Industry; Office of Administrative Hearings; and the Workers' Compensation Court of Appeals.

**Friday, March 13, 1987**

**Education Committee Education Aids Division, Chair: Randolph Peterson**

8:00 AM Room 15 Capitol

**Agenda:** Continuation of Aids budget: community and family education; health, safety, and nutrition program; professional development; miscellaneous; and libraries.

**General Legislation and Public Gaming Committee, Chair: Bob Lessard**

8:00 AM Room 107 Capitol

**Agenda:** S.F. 192-Lessard: Charitable gambling revisions.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 221-Bertram: program requiring school districts to provide milk to all pupils. S.F. 552-Bertram: promoting use of state agriculture commodities.

**Education Committee Higher Education Division, Chair: Gregory Dahl**

10:00 AM Room 123 Capitol

**Agenda:** S.F. 270-Solon: some university fund monies used for scholarships. S.F. 588-Pehler: prepaid tuition. S.F. 142-Pehler: restoring earlier cuts to post secondary system.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Budget hearing for the Dept. of Transportation.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

10:00 AM Room 118 Capitol

**Agenda:** Continuation of the budget overview of the Department of Human Services.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 90-Novak: Pipeline Safety Act. S.F. 424-Berglin: limiting disclosure of identity of child abuse reporters. S.F. 349-Peterson, R.W.: conciliation court enforcement. S.F. 324-Cohen: Road maintenance equipment DWI.

**Health and Human Services Committee Income Maintenance and Welfare Reform Division, Chair: Marilyn Lantry**

1:00 PM Room 15 Capitol

**Agenda:** S.F. 125-Berglin: literacy training. S.F. 332-Berglin: work readiness. S.F. 492-Berglin: earned income savings account. S.F. 497-Berglin: General Assistance - vendor payments. S.F. 628-Berglin: supervision of teen parent. S.F. 682-Berglin: eligibility standards for General Assistance and Work Readiness.

**Rules and Administration Ad Hoc Subcommittee on Video, Chair: Linda Berglin**

3:00 PM Room 237 Capitol

**Agenda:** Presentation by Mark Nelson, Director, Senate Media Services on authorization of charge-back system for video production services.

**For further information or last minute additions please call Senate Information 296-0504 or the Senate Hotline at 296-8088**

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87, March 13

# Brief

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## The Minnesota Senate Week in Review

March 13, 1987

### 2002 Fund release gains

Two major bills gained preliminary approval during the Monday, March 9, Senate floor session. H.F. 92, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), authorizes the IRRRB to release \$24 million from the 2002 Fund, a special economic development fund of taconite production tax proceeds. S.F. 89, authored by Sen. Charles Berg (DFL-Chokio), makes a number of alterations in the Farmer-Lender Mediation Act.

According to Dicklich, H.F. 92 is "one of the most talked about bills before the Legislature this session" because of a proposal to use the funds for a controversial bio-medical plant on the Iron Range. Supporters say that the company, Endotronics Inc., will create hundreds of jobs for the economically stressed Iron Range.

Opponents claim that the company is in financial difficulties and that the company's medical technology is still unproven. Under the measure, the company would apply to the IRRRB for economic development assistance. The application would be reviewed by a special technical advisory committee and the form of the assistance, if approved, could be either in the form of a loan or in investment in the firm. The funds for the assistance would come from a special fund that was set up in 1977 with proceeds from taconite production taxes in anticipation of declining taconite production.

Dicklich stressed that there was no assurance that Endotronics would get the \$24 million because the company will have to undergo thorough scrutiny in the application process. In addition, Dicklich and Sen. Douglas Johnson (DFL-Cook), emphasized the importance of economic diversification on the Iron Range. "It is very difficult to get economic development in rural Minnesota . . . this bill will allow us to go forward and offer the incentives to create jobs," said Johnson.

An amendment offered by Sen. Lawrence Pogemiller stripped an amendment placed on the bill in committee that would have required Endotronics to provide a \$24 million letter of credit or post a bond in that amount. An attempt by Sen. Don Frank (DFL-Spring Lake Park) to reinstate the letter of credit language failed on a vote of 29-34. The Pogemiller amendment, which also provided that the IRRRB could not acquire more than 40 percent of the voting power on the stock value and required that at least 75 percent of the public money be used for plant construction and equipment, was then adopted on a voice vote. The bill gained preliminary approval on a 37-26 roll call vote.

The changes in the farmer-lender mediation bill, S.F. 89, also generated considerable debate. Under current law, lenders must notify farmers about mediation for all defaulting debts over \$5,000. S.F. 89 changes that figure to \$20,000 in order to "cut down on the paper blizzard," said chief author Berg. In addition, the bill alters language to provide more protection to seasonal implement dealers and lengthens the mediation period to 85 days but shortens the overall "nonforeclosure" period to 90 days.

### Rural Development Act moves forward

The Environment and Natural Resources Committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), okayed the proposed Rural Development Act Tuesday, March 10, and sent it to the Governmental Operations Committee for further consideration. During their review, the environment panel added to the rural development initiatives a measure enhancing mineral development and strengthening forestry assistance programs.

The bill, sponsored by Majority Leader Roger Moe, creates a Rural Development Board to coordinate rural development activities and provide technical services to organizations in rural areas. The board would be responsible for a program establishing grant funds in six rural regions of the state. The funds would be used to provide revolving loans and equity investments in new and expanding rural businesses. The board also would be responsible for rehabilitation project grants to organizations supporting farm related rural development projects.

A public finance authority is created under the bill, S.F. 1, to assist state or local jurisdictions in the financing of infrastructure projects. The authority also would award waste water treatment grants, but the bill requires that to be done in accordance to the Pollution Control Agency's ranking, which determines need based upon environmental protection considerations.

The bill authorizes the Minnesota Jobs Skills Partnership to establish two new programs to provide customized training grants to educational institutions for placing workers in new or expanding businesses. And, the Higher Education Coordinating Board would administer grants to assist displaced workers in paying costs for post-secondary public institutions.

### Senate passes interest subsidy program

An interest subsidy program for farm operating loans would be extended another two years, under a plan passed by the Senate Thursday, March 12. However, the Senate proposal alters last year's program by reducing the maximum loan amount per participant from \$100,000 to \$50,000 and by cutting the maximum state subsidy a farmer may receive to \$1,500 per year.

The Senate defeated an amendment offered by Minority Leader Duane Benson (R-Lanesboro), substituting the House proposal, which is similar to last year's interest buy-down program. That one year program "has proved to be the most successful farm program in the nation," Benson said. He further argued that his amendment would put a program into law more quickly because a conference committee would be avoided. However, chief author Sen. Charles Davis (DFL-Princeton) said the Senate two-year proposal has the support of the governor and adds stability to farming.

To be eligible for the proposed program, a farmer must have a debt-to-asset ratio greater than 50 percent; have long-term financial viability; and must enroll in an adult farm management program when required by the lender. In total, the Senate proposal would cost the state about \$16 million, half of which would be paid this biennium.

If the House does not agree to the Senate plan, a conference committee will resolve the differences between the two bills.

In other action Thursday, the Senate gave final approval to bills considered Monday. S.F. 89, sponsored by Sen. Charles Berg (DFL-Chokio), makes changes in the farmer-lender mediation act; and H.F. 92, carried by Sen. Ronald Dicklich (DFL-Hibbing), allows the IRRRB to release \$24 million from the 2002 fund.

The following bills on the Consent Calendar also earned final approval: S.F. 279 (Chmielewski) raises Brook Park's city debt limit; H.F. 191 (Bertram) allows the city of St. Stephen to issue bonds for the construction of a civic building; and S.F. 296 (Peterson, D.C.) puts the state in compliance with federal regulations regarding relocation benefits for displaced persons.

# Committee Capsule

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## Agriculture

### Panel approves aquaculture bill

The Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), approved S.F. 69, a bill promoting aquaculture in the state, Mon., Mar. 9.

Sen. Charles Berg (DFL-Chokio), author of the measure, offered an amendment to the bill which was also approved. In addition to allowing the commercial farming of crappies, largemouth bass, perch, trout, walleyes and a non-indigenous fish, tilapia, the amendment allows the raising of fry and eggs of commercial fish.

DNR Fisheries Chief Richard Hassinger told the committee he opposed the introduction of tilapia to the state because of the possible introduction of disease and the overpopulation that the fish may cause.

Representatives from several sport fishing groups attended the meeting to oppose the section of the bill pertaining to tilapia. According to Reed Olson, President of the Leech Lake Association, the state must take precautions to protect the \$700 million sport fishing industry in Minnesota.

Berg has maintained that according to tilapia experts, the fish could not survive the cold waters of Minnesota. Further protection is provided in the bill which requires that tilapia be raised in self-contained units, Berg said.

The committee also discussed a measure affecting the Agricultural Resource Loan Guaranty Board. The bill, S.F. 426, authored by Sen. LeRoy Stumpf (DFL-Plummer), would give the board broader powers and more flexibility in choosing projects to fund. It would also allow the board to use fees collected from program earnings to pay administrative costs of the program, and change the name of the program to the Agricultural Development Program.

Discussion of the bill will continue Mon., Mar. 16.

### Linked deposit proposal discussed

The Subcommittee on Agricultural Credit met in the evening Tues., Mar. 10, to discuss a proposed agricultural linked reserve fund deposit program.

The bill, S.F. 112, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), would enable the state to transfer up to \$200 million in short term deposits to rural banks. The rural banks receiving the deposits would be required to make the same number of farm operating loans as they made in the previous year, plus make loans to agricultural businesses equaling the amount deposited by the state. Dahl explained that enactment of the bill is contingent upon a revenue surplus.

Some of the senators felt the state should be cautious in getting involved in operating loans. According to Sen. Charles Berg (DFL-Chokio), lending institutions in farm areas have experienced tremendous losses on their loans and are hesitant to make new loans. Because many agricultural banks are already in financial straits, the state deposits probably couldn't be made in these banks, Berg said.

Jim Nichols, Commissioner of Agriculture, said other states have similar programs and have deemed them successful.

Sen. LeRoy Stumpf (DFL-Plummer), chair of the subcommittee, offered several technical amendments to the bill before laying it over for future discussion.

### Ag extension and research make requests

University of Minnesota Extension Service and Agricultural Experiment Station department heads spoke to the Agriculture Committee, Wed., Mar. 11, about their program budgets.

Dr. Dick Sauer, Director of the Agricultural Experiment Station, outlined the governor's funding recommendations for agricultural programs. Currently, the state funds approximately 36 individual University programs apart from the traditional curriculum funding. The Experiment Station and the Extension Service are but two of them, Sauer said. Under the governor's proposal, \$139.6 million

would be allocated over the 1987-89 biennium in one lump sum to fund the various programs at the Board of Regents' discretion, Sauer said. This will result in a loss of funds for agricultural research and extension and a general increase in other areas, specifically in medical programs, he said.

Sauer said the Experiment Station is requesting \$4.7 million over 1987-88 and 1988-89, reflecting a ten percent increase over the 1986-87 budget.

The recommendation in the governor's 1987-89 biennial budget report was not to support the individual requests. Rather, the governor supports shifting state appropriations to support medical school programs and the operation of the University Hospital and Clinics.

Patrick Borich, Dean and Director of the Minnesota Extension Service presented an outline of Extension Service Projects and budget requests. The Extension Service is requesting \$2.8 million over the 1987-89 biennium to fund programs in economic development, environment and natural resources, human development, leadership development and a state-wide computerized communications system.

## Commerce

### Committee approves strong beer proposal

Restaurants with 3.2 beer and wine licenses would be allowed to sell strong beer according to a plan approved by the Commerce Committee, Tues., Mar. 10. S.F. 128, authored by Sen. Allen Spear (DFL-Mpls.), allows municipalities to permit restaurants that already have a wine and beer license to serve strong beer without obtaining a full liquor license. Spear noted that there are many ethnic restaurants that do not have a full liquor license but would like to serve foreign beer.

To satisfy opposition to the measure concerning increased competition between establishments that hold full liquor licenses and ones that have only wine and beer licenses, S.F. 128 states that restaurants may serve strong beer if at least 60 percent of their business is attributed to the sale of food.

In addition, the committee, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 291. The bill, authored by Sen. LeRoy Stumpf (DFL-Plummer), would allow county boards to issue on-sale intoxicating liquor licenses to restaurants or clubs in unorganized or unincorporated areas. The licenses would be issued annually and would permit up to ten seasonal on-sale licenses in the counties, provided the Commissioner of Public Safety approves, said Stumpf.

A measure regulating the termination of insurance agents writing fire or casualty loss insurance was also approved by the committee. S.F. 482, sponsored by Sen. Jim Metzen (DFL-South St. Paul), requires that insurance agencies, before terminating agents, must attempt to work with the agent on problem areas before the agent can be terminated.

S.F. 406, authored by Sen. Gregory Dahl (DFL-Coon Rapids), relating to the regulation and the distribution of motor vehicles sales was approved by the committee. In addition, the bill clarifies language relating to the relocation of an automobile dealership. Panel members also approved S.F. 49, authored by Dahl. S.F. 49 prohibits surcharges on credit card sales, unless the consumer is informed of the surcharge verbally and in writing.

A final measure approved by the committee, S.F. 457, authored by Sen. William Luther (DFL-Brooklyn Park), gives the Department of Commerce the authority to license collection agencies as well as collection agents. The bill also requires that collectors pay a \$10 fee for license and license renewal.

### Committee begins hearings on insurance bill

Members of the Insurance Subcommittee of the Commerce Committee, chaired by Sen. William Luther (DFL-Brooklyn Park), met Thurs., Mar. 12, to begin hearings on S.F. 478, an omnibus insurance bill, sponsored by Luther.

Mike Hatch, Commissioner of the Department of Commerce, presented the bill to the subcommittee and reported that the intention of the bill is to address, clarify and resolve concerns and conflicts that have occurred over the years pertaining to certain policies relating to the industry and insurance regulations.

Of the many provisions included in the bill, S.F. 478 provides that policy holders of life and health insurance be informed of policy changes in their coverage; that claims not covered by a guaranty association are loss claims; that the Minnesota Insurance Guaranty Association Board increase public membership; and that the Guaranty Association be required to reduce inequities among claim policies.

Panel members will continue discussion on the bill before any action is taken.

## Economic Development and Housing

### Bonding authority bill approved

A measure relating to local and state government debt financing was approved by the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), Thurs., Mar. 5. S.F. 683, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for establishing allocations for tax exempt bonds.

The bill requires that the Commissioner of the Department of Energy and Economic Development (DEED) determine the annual bonding authority volume cap. The bill proposes that \$74 million be allocated to the manufacturing pool; \$30 million to the multifamily housing pool; and \$21 million to the public facilities pool under the cap in 1988 and thereafter.

The bill also specifies that \$50 million be allocated to the Minnesota Housing Finance Agency for entitlement issuances; \$20 million for Minneapolis; \$15 million for St. Paul; and \$3 million for Duluth in 1988 and thereafter.

S.F. 683 also requires that \$10 million from the public facilities pool be allocated to the Higher Education Coordinating Board (HECB) each year. Bill language states that the total allocation to the HECB may not exceed \$20 million per year.

In addition, the bill requires that DEED authorize \$60 million to the MHFA, \$80 million to the manufacturing pool, \$60 million to the multifamily pool, and \$31.1 million to the public facilities pool for the remainder of 1987.

### Panel approves low-income housing bill

A bill authorizing the Minnesota Housing Finance Agency (MHFA) to administer and distribute federal low-income housing credit was approved by the Economic Development and Housing Committee, Mon., Mar. 9. S.F. 506, authored by Sen. Steven Morse (DFL-Dakota), expands existing rehabilitation loan exemptions, authorizes the MHFA to make or purchase loans to owners or operators of low and moderate income rental property that do not currently comply with energy efficiency standards for the purpose of upgrading energy efficient standards.

S.F. 506 would also allow the MHFA to acquire or operate rental property in order to work in partnership with non-profits for the purpose of saving existing low-income property. Jim Solom, of the MHFA, noted that this measure does not give the MHFA the authority to buy and develop rental property. In addition, S.F. 506 authorizes the increase of types of obligations the MHFA may issue to include non-negotiable bonds. The bill was re-referred to the Tax Committee.

## Education

### Aid for women's athletics approved

A bill that would appropriate \$2.6 million in FY 1988 and FY 1989 to state university women's intercollegiate athletic programs was approved by the Higher Education Division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), Mon., Mar. 9.

Deb Denbeck, Director of the Southwest State University Women's Athletic Department, testified in strong support of S.F. 350, authored by Sen. James Pehler (DFL-St. Cloud). Denbeck said that the money made available to Southwest State University would be used for upgrading schedules, travel, scholarship programs, uniforms, and training services.

Mankato State University Women's Athletic Director Georgine Brock said the money would be used to upgrade personnel, equipment facilities, and fundraising procedures.

University of Minnesota Women's Athletic Director Merrilyn Baker testified before the committee supporting her colleagues directives and concerns. "Women's athletic programs provide opportunities for women, personal development and growth. What my colleagues are asking for is support for the basics."

Mary Dressel, University of Minnesota Women's Athletics, Academic Affairs representative, said the measure would also correct the funding discrepancies between men and women's athletics.

In other action, the subcommittee division approved a bill that establishes a voluntary Post-High School Planning Program for all secondary students in the eighth grade and above. S.F. 452, authored by Sen. Gary DeCramer (DFL-Ghent), provides that the Post-High School Planning Program be expanded to include educational as well as career guidance, early education and career planning programs, and to expand post-secondary education opportunities.

Leo Abbott, Director of Admissions at the University of Minnesota, said the bill provides a vital communication channel giving information to students as to how to make decisions about the future.

The total cost of the program would be \$1.3 million, said Dr. David Longenecker, Director of the Higher Education Coordinating Board. According to Longenecker, the program has been recommended for elimination under the governor's budget proposal.

S.F. 350 and S.F. 452 were advanced to the full Education Committee.

### Committee hears Arts School report

A report on the Arts School and Resource Center was presented to the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), Wed., Mar. 11. The Center, created by an act of the 1985 Minnesota Legislature, aims to provide Minnesota high school students with the opportunity to pursue visual, performing and literary arts, said Jim Undercofler, Director of the Arts School and Resource Center.

An interdisciplinary arts and arts education curriculum program is currently being researched and developed reported Undercofler. The school will be located in Minneapolis and an architect has been selected, he added.

"The Arts School and Resource Center Board recommends that the school become fully operational in September of 1988 with 200 students," said Undercofler. By school year 1991-1992, Undercofler reported, the school expects to enroll 550 ninth through twelfth grade students.

With a budget of \$1.3 million in FY 1988 and \$2.0 million in FY 1989, the Resource Center also plans to provide seminars and workshops concentrating on teacher development, present performances and exhibits to increase cultural awareness in the arts, offer continuing education courses, and to continue the summer Minnesota Arts Experience (MAX) program.

In other action, a bill that would establish area learning centers was presented to the committee. S.F. 544, said bill sponsor Sen. James Pehler (DFL-St. Cloud), is designed to prevent students from dropping out of school. These students, who have not been successful in the traditional educational programs would be given the opportunity to continue their education at an area learning center where more individual attention is given to students with special needs, said Pehler.

Funding for the program, noted Pehler, would come from the state, local school districts, post-secondary institutions, community resources, and businesses. S.F. 544 also establishes a program that would allow area learning centers to apply for planning grants in fiscal years 1988 and 1989 to improve existing programs. According

# Committee Capsule

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to bill language, up to 20 planning grants of \$5,000 each fiscal year would be made available to the centers provided that the centers submit a plan of expansion or redesign by January 1, 1988. On July 1, 1988, the state board would select five of the 20 centers to be awarded a planning grant of \$100,000.

Testimony in support of the bill was heard from two students of the Area Learning Center in St. Cloud and Director of the Center, Lydell Taylor. Discussion on the measure will continue before the committee votes on the bill.

## Education Aids

### Panel hears outstate funding concerns

Members of the Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), travelled to Tracy, Minn., Fri., Mar. 6, to discuss education aids budget cuts with members of the Tracy School District.

Approximately 200 members of the community attended the meeting and told the subcommittee that they believe current education state aid funding in southwestern Minnesota is inadequate and therefore support the governor's recommendation for funding equity and capital expenditure.

Al Gruis, chairman of the Worthington school board, told panel members that an overwhelming majority of the southwestern school districts in the state receive less per pupil education aid than most state school districts.

## Election and Ethics

### Computerized registration plan examined

The Election and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Mar. 11, to examine a plan designed to change voter registration procedures. S.F. 487, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides that the secretary of state develop and implement a centralized statewide computerized voter registration system.

Elaine Voss, Deputy Secretary of State, speaking for Secretary of State Joan Growe, testified before the committee in support of the bill. According to Voss, over 20 states in the country have already implemented a statewide computerized voter registration system. "This legislation," said Voss, "would promote voter registration, increase the ability to eliminate registration duplications, achieve uniformity among county registration systems, automatate precinct assignments, and better expedite vote totals on election night."

Nancy Crippen, Government Chair for the League of Women Voters of Minnesota also testified in favor of the bill and said that S.F. 487 would provide Minnesotans with expanded opportunities to register to vote. "By allowing Minnesotans the ease of registration through the Motor Vehicle Department, the Minnesota Department of Revenue and other state agencies, we can expect a significant increase in both registered and voting citizens."

S.F. 487 was laid over until the committee can further discuss provisions of the bill.

In other action, the committee approved S.F. 397, authored by Sen. Donna Peterson (DFL-Minneapolis). S.F. 397 states that cities with ward systems be prohibited from reapportioning wards in a year ending in one or before the legislature has been reapportioned in a year ending in two. The bill also provides for when local government election districts must be reapportioned and requires that precinct boundaries be re-established within certain time periods.

## Employment

### Chairmen from review boards speak

The Injured Workers' Compensation Subcommittee continued hearings on the injured workers' benefit system, Mon., Mar. 9.

Dr. Larry Schutt, a neurologist at the Veterans' Administration Hospital, Minneapolis, spoke to the committee about the Medical Services Review Board which he chairs.

Schutt said, "I think the system is just beginning to work" following changes made in the 1983 Workers' Compensation Act. There is now a less lengthy review process and fewer superfluous treatments being given, Schutt said.

Joseph Sweere, Director of the Department of Occupational and Community Health at Northwestern College of Chiropractic, Bloomington, and Chairman of the Rehabilitative Review Board said rehabilitation reviews "are very much like a court trial." An attorney from the Attorney General's office is available when assistance is needed, he said. One-third of the cases that come before the board are appealed, he said, but added that sixty percent of the appeals are settled before the actual hearing date. He said the numbers of hearings are declining each year.

Jane Reutter and Don Loscheider, both qualified rehabilitative counselors, spoke on their responsibilities as placement coordinators for injured workers.

The committee is chaired by Sen. A.W. "Bill" Diessner (DFL-Afton).

## Drug testing bill examined

The Employment Committee met Thurs., Mar. 12, to hear public testimony on S.F. 91, a measure instituting guidelines for drug and alcohol testing in the state.

Working from a revised bill, Committee Chair Florian Chmielewski (DFL-Sturgeon Lake), author of the measure, outlined new provisions of the bill. Additions include allowing for collective bargaining among employers and employees as long as the minimum standards of the bill are met and clarifying that federal employees or job applicants are excluded from the protections in the bill if federal law or federal contracts preempt the state provisions.

Other major provisions of the bill are that an employer must adopt a written drug and alcohol testing policy and give notice of the policy prior to testing; that reliability and fairness safeguards as outlined in the bill must be followed by the employer; and that privacy, confidentiality, and privilege safeguards as defined in the bill must be met.

The committee approved an amendment offered by Sen. James Pehler (DFL-St. Cloud) stating that an employer may not fire an employee based on positive results found in a screening test. If, after a more conclusive "confirmatory" test the employee still tests positive for drugs or alcohol, they may save their job by completing certified drug or alcohol counseling or treatment. The counseling or treatment would be at the employee's expense.

Metro Medical Center's technical director of toxicology, Dr. Gary Hamphill, also said the bill is of benefit because it addresses accuracy in testing, regulation of testing labs and staff, written policies, confirmation testing and employee consent forms.

No date was set for future hearings.

## Environment and Natural Resources

### Bill requiring firearm safety gains

Hunters who have turned age 16 and were born after December 31, 1972, would be the first persons required to have a firearms safety certificate to purchase a big game license, according to a bill approved by the committee Wed., Mar. 11. The intent of the legislation, S.F. 250, is to begin establishing mandatory firearm training for big game hunters in order to reduce hunting accidents.

The bill, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), applies to hunters intending to take big game by firearm or archery. However, it does not apply to small game hunters unless they are under age 16. To hunt small game, a 14 or 15 year-old must possess a firearms safety certificate, while a 13 year-old must have the training and be accompanied by an adult.

The measure was sent to the Senate floor.

The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), also advanced a bill allowing the Dept. of Natural Resources to permit hunters to take two deer. Under the proposal, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), the department would determine in what areas two deer may be taken and under what conditions. The bill, S.F. 334, was referred to the Senate floor.

Other bills referred to the full Senate by the committee include: S.F. 73 (Benson) allowing nonresident high school students living in Minnesota to obtain a license for hunting deer by archery; S.F. 333 (Merriam) allowing raccoon dog field trials to be conducted between April 16 and July 14; and S.F. 191 (Johnson, D.J.) conveying land in St. Louis County.

## Finance

### More funding for AVTI's proposed

More funding for the state's vocational technical institutes is included in the governor's budget plan, and the increased dollars will help area schools improve their instructional programs. The Division on Education, chaired by Sen. Gene Waldorf (DFL-St. Paul), reviewed the proposed budget for the AVTI educational system, Fri., Mar. 6.

According to AVTI director Joe Graba, the governor approved \$423 million of the board's \$424 million request. Of that amount, about \$18 million additional dollars would be placed in instructional improvements.

Nearly \$4 million in additional funds would help the AVTI system assess private industry's training needs and then develop and initiate a curriculum to meet those needs. Graba said that partnerships between business, industry and vocational institutes helps Minnesota keep competitive in an international marketplace.

Another increase of \$7 million in funds for the biennium would allow the AVTI system to improve the quality of its instructional equipment. Furthermore, the money would allow the schools to establish a telecommunications interconnect system that would link all 34 AVTI campus locations into one network. The network would deliver instruction through up-link and down-link capabilities.

The governor also recommended a funding increase of \$2 million for an instructor retraining and updating program. The program, Graba said, would help instructors keep informed of technological advances by allowing them to return to their professions for about three weeks every five years.

In the non-instructional area, child day care centers would be established at each of the area schools. Funding for those centers, however, is included in the governor's proposed bonding bill.

### Semi-States reviews PUC's requests

Barbara Beerhalter, chairman of the Public Utilities Commission, presented their proposed budget for the coming biennium to the Division on Agriculture, Transportation and Semi-State Agencies Mon., Mar. 9. According to Beerhalter, the governor recommended increasing the commission's funding by about \$873,000 over the two year period.

Most of the additional dollars—\$609,000—would help the commission meet increases in the utility regulation workload, Beerhalter said. Included in that amount is funding for five additional positions. The increased staff would help the members obtain background information concerning rate increase proposals, Beerhalter added.

The commission did not embrace the Dept. of Administration's proposal to reduce the number of PUC members from five to three. Beerhalter said the larger size provides the commission with a diverse membership.

The division, chaired by Sen. Keith Langseth (DFL-Glyndon), reviewed the Dept. of Agriculture's budget proposal, Wed., Mar. 11. In his budget proposal, the governor recommended the consolidation of the Soil and Water Conservation Board, the Water Resources Board and the Southern Minnesota River Basin into a new "Board of Water and Soil Resources." A total savings of about \$30,000 for the biennium would result due to the reduction of the total board members from 23 to 13.

In total, the department requested a biennial appropriation of about \$77.4 million; however, the governor honored only \$50.9 million of that request. One request, for example, that the governor did not fund was a \$430,000 increase request for pesticide control. The additional money would be used for improving monitoring and control over pesticide use.

### Appeals court, zoo want more funds

The Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), reviewed this week the budget requests of the State Court of Appeals and the Minnesota Zoological Gardens. The court would like additional funds of about \$1.9 million for the biennium to hire four judges and three staff attorneys, while the zoo claims that the governor's budget proposal will cause the closing of several attractions, including the whale exhibit.

Chief Judge Peter Popovich said that the Court of Appeals needs the additional staff to meet the increased workload. He explained that the judges now average about 108 written opinions per year. Nationally, court of appeals judges average about 81 opinions per year, he said. In addition, Minnesota law states that the normal number of judges on the court shall be one judge for every 100 cases. Under this guideline, Minnesota's Court of Appeals would need to increase the number of judges from 12 to 20, Popovich added.

"We want to be a top intermediate court, but we don't want to do it at the expense of the judges," Popovich said. The committee will act on the request later this session.

The Minnesota Zoo requested a biennial appropriation of about \$17.8 million; however, the governor okayed only \$14.8 million of that request. According to a Dept. of Finance spokesman, the governor wants the zoo to become more self supporting and accelerate its efforts in securing private funds. The governor not only denied the \$550,000 increase requested by the zoo, but his budget would reduce another \$2.5 million from the zoo's budget over the biennium.

### Health division continues work

The Division on Health and Human Services, chaired by Sen. Don Samuelson (DFL-Brainerd), also was busy this week conducting budget overviews. The Dept. of Jobs and Training and the Dept. of Human Services presented their requests for the coming biennium. Action on the health and human service areas will happen later this session.

## General Legislation and Public Gaming

### Canterbury Downs tax decision delayed

A bill changing the amount of tax that Canterbury Downs pays to the state and increasing the amount of money set aside for purses was before the panel Wed., Mar. 11. However, action on the proposal was delayed when track workers testified that Canterbury Downs has spent money on anti-unionization efforts and is discriminating against union-supporting employees.

According to Dick Larsen, representing the International Brotherhood of Electrical Workers (IBEW), the track has spent "thousands of unnecessary dollars" to avoid unionization. That money, Larsen said, has contributed to the track's financial losses. Two track employees also testified that track officials will not rehire them despite good job reviews because they have been in support of IBEW Local 292. IBEW won an election among track employees last summer for representation.

The track is asking the Legislature to alter the amount of tax it must pay on parimutuel betting. Last year, according to track officials, Canterbury Downs paid about \$6.7 million in parimutuel tax. It experienced a \$7 million shortfall because it needed to fund higher purses to attract better racing. To address this problem, the bill, S.F. 724, sponsored by Sen. Robert Schmitz (DFL-Jordan), reduces the parimutuel tax to provide the track with about \$5 million and increases the amount of set-aside on all money bet for purses.

# Committee Capsule

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Supporters of the measure claim that the pari-mutuel tax is unfair because it is double taxation—taxation on gross receipts and taxation on profits. In addition, they said increasing the purses and the amount placed in the Breeders Fund will aid the horse industry in Minnesota.

## Governmental Operations

### Council on Disability authority expanded

A bill renaming the Council for the Handicapped the Council on Disability and granting the council new power to initiate or intervene in proceedings involving handicapped access rights gained the approval of the Governmental Operations Committee, Tues., Mar. 10. The bill, S.F. 377, also extends from 30 to 180 days the time for appealing a municipal decision affecting the application of the state building code. In addition, the measure, sponsored by Sen. John Marty (DFL-Roseville), authorizes the council to collect fees for documents and technical services provided to the public. Committee members, chaired by Sen. Don Moe (DFL-St. Paul), also considered, but took no action on, a bill requiring the governor to appoint Charitable Gambling Control Board members from specific fraternal, veterans' and religious organizations. The measure S.F. 257, was sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton).

### Jobs programs discussed

The Subcommittee on the Implementation of the 1985 Jobs Act, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Wed., Mar. 10, to hear a presentation on a recent report by the legislative auditor on employment and training programs. The report cited a lack of coordination and a lack of overall strategy for targeting programs to various client groups as the major hurdles to be overcome. Keith Ford, director of the Office of Full Productivity and Opportunity, responded to the report and agreed with the information presented. Hearings will continue on the implementation of the 1985 Jobs Act.

### APA changes debated

Committee members devoted the entire Thurs., Mar. 12, meeting to discussion of a bill that would make several changes in the Administrative Procedure Act. The bill, S.F. 704, is designed, said chief author Darril Wegscheid (DFL-Apple Valley), to make it easier for the public to become involved in the rule making process. Wegscheid also explained that the bill eliminates the authority of the Legislative Commission to Review Administrative Rules to suspend rules, defines "substantial change" in administrative rulemaking, provides a new procedure for the Department of Human Services for the adoption of federally mandated rules and eliminates reasons for various state agencies to seek exemptions from the Administrative Procedure Act.

Members of the committee, chaired by Sen. Don Moe (DFL-St. Paul), heard testimony from Gary Johnson, chair of the Administrative Law Section of the Minnesota State Bar Association; Dan McInerney, Assistant Commissioner of Health; and Maryanne Hruby, Executive Director of the LCRAR. The bill will be acted upon at the Tues., Mar. 17, committee meeting.

## Health and Human Services

### AFDC reports presented

Members of the Income Maintenance and Welfare Reform Division, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Fri., Mar. 6, to hear presentations on Aid to Families with Dependent Children.

Senate staff presented a survey of county human service agencies, a recap of the special hearings held throughout the interim in different parts of the state and an outline of issues and options. Staff from the Office of the Legislative Auditor also presented a report summarizing national studies, analyzing trends in Minnesota's AFDC program and recommending several changes in approach.

### Panel advances seven bills

The full Health and Human Services Committee met Tues., Mar. 10, and advanced seven measures through the legislative process. S.F. 586, authored by Sen. John Marty (DFL-Roseville), clarifies the Dept. of Corrections' authority in licensing and supervising institutions and facilities, provides for restitution by inmates for destruction of state property, authorizes the forfeiture of contraband money or property and provides a penalty for assaults on correctional employees. The measure was approved and referred to the Judiciary Committee.

S.F. 599, sponsored by Sen. Don Samuelson (DFL-Brainerd), provides that the Department of Human Services may authorize any regional center or state operated nursing home to enter into agreement with other governmental entities and both nonprofit and profit health service organizations for participation in shared service agreements. S.F. 414, authored by Sen. Jerome Hughes (DFL-Maplewood), removes the expiration date for the Advisory Council for the Prevention of Child Abuse, regulates the trust fund for the prevention of child abuse and appropriates \$100,000 to the commissioner of public safety for administrative expenses and carrying out the responsibilities of the trust fund and council. S.F. 342, authored by Sen. Gregory Dahl (DFL-Coon Rapids), authorizes grants for programs that provide perishable food to nonprofit organizations providing on-site food programs. S.F. 532, sponsored by Sen. Jim Vickerman (DFL-Tracy), clarifies the methods of determining the cost of care at regional treatment centers and clarifies the responsibility for setting rates and collecting payment for cost of care at state nursing homes. All four measures were referred to the Finance Committee.

S.F. 673, authored by Sen. Pat Piper (DFL-Austin), authorizes the commissioner of human services to adopt by rule any or all of the standards for chemical dependency professionals established by the Institute for Chemical Dependency Professions of Minnesota, Inc. when professional standards are necessary in the regulation of chemical dependency programs. Finally, S.F. 529, carried by Sen. A.W. "Bill" Diessner (DFL-Afton), allowing work activity programs planned and designed exclusively to provide therapeutic activities for handicapped workers to pay less than the minimum wage, was approved and recommended for the Consent Calendar.

### Patients' Rights Act fails

Members of the Health and Health Financing Subcommittee devoted an evening meeting Wed., Mar. 11, to consideration of a bill that would provide a policy for deciding when medical care should be withheld from a patient who is seriously ill. According to chief author, Sen. Gene Waldorf (DFL-St. Paul), the bill allows patients to refuse or consent to care when competent, establishes a baseline for care for patients whose wishes are unknown, provides that nutrition, hydration, warmth and nursing care are not medical care, and removes liability for providers who have followed the law.

Supporters of the bill, led by Jackie Schweitz of the Minnesota Citizens Concerned for Life and Tom Marzen of the National Legal Center for the Mentally Dependent and Disabled, said that the bill protected the rights of individuals to make advance directives concerning their medical care and would insure that basic care was not discontinued for persons whose wishes were unknown.

Opponents, led by Dr. Ronald Cranford of the Hennepin County Medical Center and Evelyn Van Allan of the Minnesota Network for Institutional Ethics Committees, argued that the bill limits advance directive to final stages of illness and that the bill does not address the variety of religious and philosophical beliefs of a pluralistic society. In addition, the opponents and proponents disagreed on whether food and water could be called medical care.

After considerable discussion, a motion to move the bill to the full committee without recommendation failed to gain approval. Additional motions to lay the bill over and to move the measure to the full committee with a recommendation for passage also failed to gain the panel's endorsement.

Earlier in the day the subcommittee, chaired by Sen. John Brandl

(DFL-Mpls.), forwarded three measures on to the full committee. S.F. 278 authorizes a change in license application or renewal fees for nursing homes and boarding care homes to fund the development and education of resident and family advisory councils. S.F. 359 increases the personal needs allowance for nursing home residents from \$40.00 per month to \$45.00 per month. S.F. 593 clarifies statutes relating to the preadmission screening program. All three bills are authored by Sen. Linda Berglin (DFL-Mpls.).

### **Mental Health Ombudsman bill discussed**

The Subcommittee on Social Services and Government Administration, chaired by Sen. Pat Piper (DFL-Austin), heard extensive testimony on the bill to create the position of mental health ombudsman within the Department of Human Services. The bill, S.F. 514, sponsored by Berglin, details the duties and responsibilities of the position. Discussion on the bill will continue.

In other action, four additional bills were advanced to the full committee. S.F. 224, authored by Berglin, creates an exception to the supplemental and negotiated rate cap and requires a report to the Legislature on the existing system for paying negotiated rate facilities for services provided to residents through the supplemental aid program. S.F. 566 authorizes Minnesota supplemental aid for a licensed boarding care facility. S.F. 619 provides for the establishment of a mental illness information management system. S.F. 616 establishes difficulty of care payments for children in foster care. The latter three measures are sponsored by Sen. Marilyn Lantry (DFL-St. Paul).

## **Judiciary**

### **A dozen measures advance**

Judiciary Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), met Fri., Mar. 6, and advanced a dozen bills to the full Senate. S.F. 653, a resolution sponsored by Spear, memorializes the Soviet Union to grant exit visas to Jewish prisoners of conscience. S.F. 448, authored by Sen. Dennis Frederickson (IR-Morgan), clarifies the procedure and cost for filing foreign judgments and clarifies the procedure to be used in securing a judgment and execution. H.F. 127, authored by Sen. Tad Jude (DFL-Maple Grove), provides that pledges to make contribution to reimburse adoption services corporations for expenses shall be voidable at the option of the person making the pledge. S.F. 499, also authored by Jude, changes several provisions relating to conveyances of real property. S.F. 409, sponsored by Sen. Richard Cohen (DFL-St. Paul), requires that those persons mandated to report child abuse also report past incidents of abuse or neglect. S.F. 522, authored by Cohen, requires court administrator's to mail notice of claims against a decedent's estate to the personal representative of the estate.

S.F. 456, authored by Spear, changes the definition of "small amount" of marijuana to 42.5 grams rather than 1.5 ounces and clarifies the Schedule II definition of coca leaves and any salt, compound, derivative or preparation of cocoa leaves to include cocaine and ecgonine, their salts and isomers. S.F. 440, sponsored by Sen. Pat Piper (DFL-Austin), removes gender references in specific statutes. S.F. 272, authored by Sen. William Luther (DFL-Brooklyn Center), delays the effective date of certain amendments to statutes regulating control share acquisitions. S.F. 376, authored by Sen. John Marty (DFL-Roseville), provides for the management of records relating to underage drinking arrests and convictions.

S.F. 659, sponsored by Spear, classifies the substance "alfentanil" as a Schedule II controlled substance. S.F. 296, authored by Sen. Donna Peterson (DFL-Mpls.), conforms state statutes regulating relocation benefits for displaced persons with federal regulations. The latter two bills were recommended for placement on the Consent Calendar.

### **Snowmobile DWI okayed**

A bill providing for the application of DWI and implied consent laws to the operation of snowmobiles and all terrain vehicles was endorsed by members of the Criminal Law Division Mon., Mar. 9. The measure, S.F.243, also provides that the DWI and implied consent provisions of the statutes apply to the operation of

snowmobiles anywhere in the state, including on the ice of a boundary water. The bill, sponsored by Sen. Don Frank (DFL-Spring Lake Park), also makes the hit-and run, criminal negligence, and repeat violations provisions applicable to snowmobiles and all terrain vehicles.

Division members, chaired by Sen. Donna Peterson (DFL-Mpls.), also approved a measure making it a crime to use police radios while committing a criminal act. S.F. 605, authored by Sen. Joe Bertram (DFL-Paynesville), sets forth the penalties and provides for the forfeiture of the radio or device.

Members of the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove) also met Mon., Mar. 9, to consider a bill making changes in the Domestic Abuse Act. The bill, S.F. 539, authored by Sen. Ember Reichgott (DFL-New Hope), provides that if a petitioner for an order for protection admits the abuser to the dwelling, it is not a violation by the petitioner of the order for protection. A similar change is made in the statute relating to marriage dissolution by providing that a domestic abuse order restraining the abusing party from committing acts of domestic abuse may not be vacated or modified in a divorce proceeding and that an order excluding the abusing party from the dwelling of the petitioner is not void because the abusing party was admitted to the dwelling. In other words, in the event the petitioner invites or allows the abusing party into the dwelling, an order for protection is not voided and the respondent must leave the dwelling upon the request of the petitioner or be in violation of the order and face arrest.

Further, the bill specifies that the court must advise a petitioner in a domestic abuse case of the right to serve the respondent by published notice if the respondent is avoiding personal service by concealment or otherwise.

Division members also began discussion of a bill providing that the statute of limitations apply to actions before administrative agencies as well as court actions. The bill, S.F. 446, authored by Jude, was not acted upon because of time constraints.

### **DWI bills approved**

Several bills dealing with Minnesota's DWI laws again provided the focus for discussion at the Wed., Mar. 11, meeting of the Criminal Law Division. Four bills were endorsed by the division and recommended to the full committee. S.F. 537, authored by Sen. Tad Jude (DFL-Maple Grove), imposes mandatory minimum penalties on habitual DWI offenders and requires a persons who violates DWI laws twice in five years or three times in ten years to participate in a chemical dependency evaluation. And, if the evaluation shows that it is necessary, the person would be required to attend a chemical dependency treatment program. The mandatory minimum penalty, under the bill, is a minimum term of imprisonment of at least 30 days or 240 hours of community work service. However, the bill does contain a provision that allows the prosecutor to file a motion, prior to sentencing, to have the defendant sentenced without regard to the mandatory minimum term of imprisonment. Further, the bill specifies that when the court is presented with such a motion, and if the court finds that substantial mitigating factors exist, the mandatory minimum sentence does not have to be imposed.

Division members also approved a measure that establishes a system for impounding the license plates of a motor vehicle involved in a DWI violation by, or registered in the name of, a repeat DWI offender. S.F. 392, authored by Sen. Allan Spear (DFL-Mpls.), also provides for the issuance of special license plates, and provides for administrative and judicial review. The third bill gaining the division's approval, S.F. 391, allows a stay of execution of up to two years in misdemeanor DWI and fifth-degree assault cases. Currently, a stay of execution may only be granted for one year. The measure, authored by Spear, further requires unsupervised probation for any extension of the stay beyond one year unless the court finds after the first year that the defendant needs supervised probation for all or part of the second year.

The final bill gaining the division's approval, S.F. 390, provides that violation of local DWI ordinances is counted for purposes of driver's license revocation and provides that courts must report juvenile traffic violations to the Dept. of Public Safety. S.F. 390 is also authored by Spear.

# Committee Capsule

The Civil Law Division also met Wed., Mar. 11, and discussed two measures providing for county recovery for medical assistance payments. H.F. 18 and H.F. 19, both sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), were laid over pending further discussion. H.F. 18 allows counties to recover medical assistance payments upon the death of the recipient or, if the recipient was married, upon the death of the surviving spouse. H.F. 19, includes certain county agencies as successors who may collect personal property by affidavit and thus recover medical assistance payments upon the death of the recipient.

The division approved a bill prescribing the standard care for trustees to follow in the investment of trust assets. Under the bill, S.F. 538, authored by Sen. Randolph Peterson (DFL-Wyoming), the standard of care is described as that of a "prudent person" exercising the care, skill and judgment that a person of ordinary prudence would exercise in the management of the person's own property. However, the bill goes on to specify that "if the trustee has greater skills than a person of ordinary prudence or is named trustee by representing that the person has greater skills than a person of ordinary prudence, the trustee is under a duty to use those skills or expertise."

## Local and Urban Government

### State mandate bill heard

The Local and Urban Government Committee focused on a bill effecting state mandates on local governments, Thurs., Mar. 5.

Sen. Darril Wegscheid (DFL-Apple Valley), author of the bill, said S.F. 433's thrust is to "improve relations between state and local governments."

Robert Orth, Executive Director, Metropolitan Inter-County Association, provided an overview of the measure to the committee, chaired by Sen. Robert Schmitz (DFL-Jordan).

The measure states that local governments will be furnished clear guidelines for enacting mandates as well as information on funding of the edicts, Orth said. The bill further provides that local governments may vote on whether to incorporate a new mandate if the state doesn't allocate money for its administration. Orth said this doesn't imply that local governments may overrule the state, but said that local governments "will run the program to the extent that you [the Legislature] have funded it."

The bill also creates a Division of State and Local Mandates within the state auditor's office for determining the mandates' financial impact on local governments and to review rules and regulations.

Other representatives of local governments supporting the bill were Roger Peterson, Legislative Affairs officer for the Association of Metropolitan Municipalities, Howard Nelson, Legislative Liaison for the Association of Small Cities and Russell Streefland, Dakota County Commissioner from District 5.

Dan McInerney, Assistant Commissioner of Health Delivery Systems, Dept. of Health, said he had concerns with the bill because allowing local governments to decide whether to implement a mandate may result in adverse effects on social service programs.

Schmitz laid the bill over stating that it requires amending by the committee before it may be voted on and referred to the Governmental Operations Committee.

Sen. A.W. "Bill" Diessner (DFL-Afton) had introduced a bill, S.F. 39, which was nearly identical to S.F. 433, but deferred his measure to Wegscheid. S.F. 39 was tabled.

In other action, the committee recommended that H.F. 191 pass and be placed on the consent calendar. H.F. 191, authored by Sen. Joe Bertram (DFL-Paynesville), authorizes the city of St. Stephen to issue and sell general obligation bonds to raise up to \$265,000 for construction of a civic building. City voters approved the construction at a recent referendum, Bertram said.

### Duluth bills okayed

The Local and Urban Government Committee approved three measures relating to the city of Duluth, Mon., Mar. 9.

S.F. 470, authored by Sen. Sam Solon (DFL-Duluth) allows the city to file a Spirit Valley plat without a county treasurer's certificate

stating that the taxes have been paid. The city plans to have the tract re-platted without waiting for the multiple land owners to pay their taxes.

S.F. 470 (Solon) extends a 1982 law which authorized the city to raise general obligation bonds. The new bill allows Duluth to issue bonds for \$3 million each year for years 1988-1990 to raise money for capital expenditures.

S.F. 470 and S.F. 479 were sent to the Senate floor.

Sen. Jim Gustafson's (R-Duluth) bill, S.F. 480, allows Duluth to adopt an ordinance establishing design districts to guide the future development of the waterfront area. The bill was placed on the consent calendar.

Sen. Robert Schmitz (DFL-Jordan) chairs the committee.

## Public Utilities and Energy

### Certificate of need changes heard

Members of the Public Utilities and Energy Committee, chaired by Sen. Ronald Dicklich, devoted most of the Thurs., Feb. 12, hearing to discussion of a bill that alters the time limits and application fees for certificate of need proceedings for large energy facilities. The bill, S.F. 488, sponsored by Sen. Don Frank (DFL-Spring Lake Park), extends from six to nine months the time period in which the Public Utilities Commission has to review a certificate of need applications. In addition, the bill provides that the application must be accompanied by an application fee of not more than \$50,000. However, the PUC may assess an application fee in excess of \$50,000 to cover the costs of the proceedings, but that fee may not exceed \$300,000 per project.

According to Frank, the major utility companies were generally in favor of the bill, but opposition to the measure surfaced from members of the Public Utilities Commission and from the Public Service Department. Discussion on the bill will continue at the Tues., Mar. 17, hearing.

In addition, the panel approved the governor's appointment of Darrel Peterson to the Public Utilities Commission.

## Taxes and Tax Laws

### Income tax changes studied

The Income Tax Division took up the elimination of the pension exclusion for senior citizens and the tax on insurance premiums, both recommended by Gov. Rudy Perpich, at Tues., Mar. 10, division meeting.

The pension exclusion and premium tax are dealt with in S.F. 445, the income tax bill sponsored by Sen. Douglas Johnson (DFL-Cook).

Three United Steelworker Union retirees and Bob Whittaker, President of Minnesota Retired State Employees, expressed displeasure that the income tax proposal does not return the \$11,000 exclusion that was removed in 1985.

Sophie Graff, a U.S. Steel district secretary for 37 years, said retirees are entitled to the tax break. "The senior citizens are keeping the economy going with their pensions," she said. John Haynes, Assistant Commissioner of Revenue for Tax Policy, said that of the 460,000 seniors in Minnesota, only one-third use the exclusion. He said those using the exclusion will likely experience a tax cut under the governor's proposal and that if the pension exclusion were restored, 100,000 seniors would have lower taxes but that 360,000 would pay higher taxes.

Haynes, in reference to the proposal to extend the tax on insurance premiums to non-profit insurance agencies, said the Dept. of Revenue didn't want to distinguish between non-profit and for-profit insurers.

George Halvorson, President of Group Health and the Minnesota Council of HMOs, said such a tax would be tagged on to the premium cost paid by group health subscribers.

The division is chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

### Property tax plan discussed

The Property Tax and Local Government Aids Division, chaired

by Sen. Steven Novak (DFL-New Brighton), heard comments on Gov. Rudy Perpich's property tax reform proposals, Wed., Mar. 11.

Morrie Anderson, representing the Association of Minnesota Counties, and a tax reform coalition called TRIM (Tax Reform In Minnesota), said the governor's plan to broaden the current tax base "makes sense" in light of another possible recession and questions of budget stability. Anderson said he also supports the proposal to remove local levy limits and allow local governments to set their own spending limits. However, he said he would prefer that the state cut back on expenditures rather than expand the sales tax to governmental agencies and non-profit groups which would be collected at the local level and sent back to the state for dispersal.

Jack Horner, representing the Minnesota Multi-Housing Association and a TRIM member, pointed out that one-quarter of all households live in rental property. Renters pay an extremely high level of property taxes in the form of inflated rent due to taxes levied on rental property owners, he said, and asked the Legislature to consider lessening the disparity in the classes of rental property taxes.

Robert Dolan of Northern States Power said he supports the proposal to provide property tax relief for the commercial and industrial sector and to reduce the number of property classes. His concern was that the utility industry is the only industry in the state that still pays property taxes on personal property. NSP is concerned that the reform measure will shift the property tax burden to residential homeowners and to the utility customer due to increased tax liabilities on utilities, Dolan said.

## Transportation

### Budget cuts spark rural transit debate

Members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met Tues., Mar. 10, to discuss outstate transit systems. Randy Halvorson, Director of the Office of Transit at the Minnesota Department of Transportation (Mn/DOT), reported that operating costs for the outstate transit program totaled \$15.1 million in FY 1986. Halvorson also reported that \$13.8 million was requested for the Greater Minnesota Public Transit Assistance Program for fiscal years 1988 and 1989. The governor's budget proposal, said Halvorson, recommends that \$4.5 million be allocated to the outstate transit program in FY 1988 and FY 1989.

If the budget is approved, Halvorson said, the rural transit system, which provides service to cities with a population of 2500 or less, could be eliminated and service in urban areas drastically reduced.

Dave Tripp, President of the Minnesota Public Transit Association, reported that the Governor's proposed 67 percent reduction in non-metro transit funding cannot meet the needs of outstate transportation. According to Tripp, the need and demand for public transit services is increasing and local governments and agencies cannot continue to support additional public transit funding needs. Tripp also suggested that the motor vehicle excise tax revenues ought to be transferred to a joint highway and transit account.

Paul Ackland, Mayor of the city of Hutchison, Scott Hutchins, Community Development Director for the city of Moorhead, Carolyn Hawkins, Director of the transportation program of Senior Resources Services in Hennepin County, Burnett Voss, Chairman of

the Minnesota Board on Aging, Dennis Jensen, General Manager of the Duluth Transit Authority, and Wendy Bower of the State Council for the Handicapped discussed with committee members the importance of the rural transit systems and the detrimental effects the governor's budget proposal could have on transit services.

### Metro Mobility concerns discussed

The Transportation Committee met Thurs., Mar. 12, to continue discussion on the Metro Mobility program. Cindy Glynn, a representative from the Regional Kidney Disease Program spoke before the committee and reported that her organization believes the Metro Mobility program has improved considerably and that safety has not been a problem.

Sharron Hardy, board member of the Transit Access Coalition, reported that the Transit Access Coalition was established to help consumers make an easy transition from the old Metro Mobility program to the new. Hardy told committee members that "public transit safety for disabled persons is first and foremost for us. We also need vehicle standardization, and we need to make sure our drivers are trained." Hardy also noted that over 50 percent of the state's disabled population lives in the Twin Cities metropolitan area. "We deserve high quality and safe services because we are individuals and we are taxpayers," she said.

Al Pierson, Executive Vice President of Metro Ride, James LeTourneau, Vice President of Yellow Cab, Jody Hauer of the Citizens League, Jerry Hayes of Courage Center, and T.J. McCloskey of Care Bus, spoke before the committee in favor of the new Metro Mobility program but expressed concern over the lack of public transit funds for disabled persons, the need to enforce safety regulations, the need to reduce fare costs, and the importance of driver training.

Responding to Hayer's comment that 14 percent of Courage Center employees are handicapped and rely on public transit, Sen. Phyllis McQuaid (IR-St. Louis Park) said, "I hope people remember that if funding for transit service for disabled persons is cut, we would be putting people on welfare."

Elliot Perovich, chairman of the Regional Transit Board (RTB), noted "the goal of the RTB is to provide safe and effective transportation. Before our drivers go on the road, they must be fully trained." Perovich also added that the RTB is considering third party vehicle inspection.

### Floor Action

### Computer phone regulation passed

In other action during the Mon., Mar. 6, floor session, two measures gained final passage. S.F. 184, authored by Sen. Allan Spear (DFL-Mpls.), regulates the use of automatic dialing and announcement devices. Under the bill, the devices must disconnect within 10 seconds of the recipient's hanging up the telephone. In addition, the bill requires that pre-recorded messages be preceded by a live operator who would identify the goods or services being promoted, state the purpose of the message and identify the caller. Final passage was also granted to S.F. 53, authored by Sen. William Luther, providing for the indemnification of municipal officers and employees for punitive damages.

# Preview

## The Minnesota Senate Week at a Glance

Monday, March 16, 1987

**Education Committee**, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** S.F. 452-DeCramer: Expands HECB's career guidance program. S.F. 350-Pehler: Appropriates money to state university board for women's intercollegiate athletics. Two year strategic plan for MN academies for the deaf and the

blind, Wade Karli, Superintendent. S.F. 544-Pehler: Providing for area learning centers.

**Finance Committee Health and Human Services Division**, Chair: Don Samuelson

8:30 AM Room 125 Capitol

**Agenda:** Continuation of the budget overview of the Department of Human Services.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 426-Stumpf: Agricultural Resource Loan Guaranty Board.

**Finance Committee Agriculture, Transportation and Semi-States Division**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Historical Society, Capitol Budget, and Labor Interpretive Center.

**Judiciary Committee Civil Law Division**, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 15-Chmielewski: county recovery for medical assistance. S.F. 16-Chmielewski: county recovery for medical assistance. S.F. 439-Piper: death notice to adopted child, genetic parents. S.F. 462-Cohen: marriage dissolution. S.F. 578-Reichgott: corporate indemnification, voting rights. S.F. 491-Spear: disability discrimination in employment. S.F. 577-Reichgott: corporate mergers, exchanges.

**Judiciary Committee Criminal Law Division**, Chair: Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** S.F. 372-Peterson, D.C.: Crime victims reparation board. S.F. 374-Peterson, D.C.: Tampering with a witness extended to intimidation. S.F. 458-Jude: Defining controlled substance purity measure. S.F. 613-Jude: Major theft penalty increase; corporation's victim rights; extension of criminal law statute of limitations. S.F. 742-Jude: Competency of certain witnesses.

**Economic Development and Housing Committee**, Chair: Don Frank

12:00 PM Room 15 Capitol

**Agenda:** S.F. 422-Diessner: Authorizing Economic Development Authority construct and furnish buildings. Confirmations of appointments to WTC Board: Ronald Bosrock, Irving M. Stern, and Willis Eken.

**Local and Urban Government Committee**, Chair: Robert Schmitz

12:00 PM Room 107 Capitol

**Agenda:** S.F. 702-Wegscheid: Sewer Systems; environment. S.F. 565-Dahl: Setting maximum tax for the Mosquito Control District.

**Employment Subcommittee on Injured Workers Compensation**,

Chair: A.W. "Bill" Diessner

1:00 PM Room 112 Capitol

**Agenda:** Employers represented in the injured workers compensation issue.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** S.F. 253-Hughes: Education districts. S.F. 413-Hughes: Comprehensive health/wellness education program in elementary and secondary schools. S.F. 624-Pehler: Requiring school nurses in schools.

**Finance Committee State Departments Division**, Chair: Carl Kroening

3:00 PM Room 125 Capitol

**Agenda:** Budget overviews: Attorney General's Office, Council on Black Minnesotans, and Dept. of Veterans Affairs.

**Tuesday, March 17, 1987**

**Commerce Subcommittee on Consumer Protection**, Chair:

Gregory Dahl

8:00 AM Room 123 Capitol

**Agenda:** S.F. 18-Dahl: used car purchase, consumer protection.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 36-DeCramer: Motor vehicle excise tax transfer.

**Governmental Operations Committee**, Chair: Donald Moe

8:30 AM Room 15 Capitol

**Agenda:** Continuation of S.F. 704-Wegscheid: Administrative procedure act.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 772-Luther: registration for health, buying and social referral clubs. S.F. 154-Jude: licensing of karate schools by Board of Boxing.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** Confirmation of Tony Perpich. S.F. 783-Solon: emergency telephone identification. S.F. 488-Frank: certificate of need continuation.

**Veterans Committee**, Chair: Joe Bertram

10:00 AM Room 107 Capitol

**Agenda:** Overview of the Minnesota Veterans Home presented by the Dept. of Veterans Affairs. S.F. 498-Bertram: Authorizing the adjutant general to delegate certain duties.

**Health and Human Services**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** S.F. 541-Brandl: Semi-independent living services. S.F. 278-Berglin: education money for advisory councils. S.F. 359-Berglin: personal needs allowance. S.F. 593-Berglin: pre-admission screening. S.F. 619-Lantry: information management system for M.I. S.F. 616-Lantry: foster care payments. S.F. 224-Berglin: Exception to rate cap. S.F. 566-Lantry: supplemental aid for licensed board and care facilities. Also considered are any bills that pass Income Maintenance and Welfare Reform Division on Friday, March 13. Agenda items not completed may be continued this evening at 7:00 PM Room 123 Capitol. Call 296-4261 for updated agenda.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

1:00 PM Room 112 Capitol

**Agenda:** S.F. 536-Novak: Petroleum Tank Release Cleanup Fund Act.

**Legislative Coordinating Commission**, Chair: Speaker Fred Norton

2:00 PM Room 300N SOB

**Agenda:** Budget reviews for legislative commissions and joint agencies. Legislative Coordinating Commission policy on Harrassment.

**Finance Committee State Departments Division**, Chair: Carl Kroening

**Agenda:** Budget overviews of the world Trade Center Board; CAAPB; and the Department of Finance.

**Taxes and Tax Laws Committee Income Tax Division**, Chair:

Lawrence Pogemiller

3:00 PM Room 15 Capitol

**Agenda:** Continuation of Governor's Income Tax proposal. Call 296-7809 if you wish to testify

**Education Committee Education Aids Division**, Chair: Randolph Peterson

7:00 PM Room 15 Capitol

**Agenda:** S.F. 501-Dicklich: permitting school districts employees to participate in state insurance plan. S.F. 344-Novak: Inc. mill levy for secondary vocational education in certain intermediate school districts. S.F. 502-Peterson, D.C.: Establish pilot program to reduce class sizes in kindergarten through third grade.

**Wednesday, March 18, 1987**

**Education Committee**, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** : S.F. 695-Pehler: Governor's discussion group bill. S.F. 171-Brandl: providing for a school site responsibility option. Any bills not heard on March 16th.

**General Legislation and Public Gaming Committee, Chair: Bob Lessard**

8:00 AM Room 107 Capitol

**Agenda:** S.F. 724-Schmitz: Horse racing; modifying the purse structure, taxes, etc. S.F. 23-Chmielewski: Fond du Lac archaeological site. S.F. 269-Chmielewski: County and district agricultural societies appropriation.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 652-Peterson, R.W.: providing a computerized system for notification of security interests in farm products.

**Finance Committee Agriculture, Transportation and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Department of Transportation.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 286-Spear: Gross misdemeanor property crimes. S.F. 420-Peterson, D.C.: powers of police officers employed by the MTC. S.F. 539-Reichgott: domestic abuse protection orders. S.F. 352-Spear: Sex bias in courts study. S.F. 204-Reichgott: chapter 300 corporate director's tort immunity.

**Elections and Ethics Committee, Chair: Jerome Hughes**

11:30 AM Room 107 Capitol

**Agenda:** S.F. 52-Dahl: Campaign material. S.F. 260-Stumpf: combining certain municipalities. S.F. 550-Dicklich: selection of party in primaries. S.F. 438-Samuelson: name used on ballots. S.F. 248-Peterson, D.C.: availability of absentee ballots.

**Environment Subcommittee on Public Lands and Waters, Chair: Steven Novak**

12:00 PM Room 112 Capitol

**Agenda:** S.F. 299-Johnson, D.J.: Sale of certain land, Cook County. S.F. 338-Johnson, D.J.: Sale of a certain tract of tax forfeited land. S.F. 678-Novak: Metro watersheds increase of administrative funds. S.F. 715-Moe, R.D.: Sale of tax forfeited land, Polk County. S.F. 606-Bertram: Towing water skiers/certain hours. S.F. 450-Pehler: State parks, vehicle permits. S.F. 48-Ramstad: Aeration of Lake Hadley. S.F. 353-Jude: Ground water program, Hennepin County. S.F. 464-Wegscheid: Cross country ski license fees, retained by county.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection, Chair: Gregory Dahl**

1:00 PM Room 112 Capitol

**Agenda:** S.F. 708-Merriam: providing for a solid waste management policy.

**Health and Human Services Committee Income Maintenance and Welfare Reform Division, Chair: Marilyn Lantry**

1:00 PM Room 15 Capitol

**Agenda:** Items not completed at the March 13th meeting will be continued March 18th. S.F. 795-Brandl: Family law; child support. S.F. 242-Berglin: paternity regulations. S.F. 298-Samuelson: human services AFDC. S.F. xxx: Governor's bill.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 125 Capitol

**Agenda:** Continuation of the budget overview of the Department of Human Services.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Budget overview of the State Treasurer's Office, Council on Asian-Pacifics, and the LCC.

**Taxes and Tax Laws Committee Sales Tax Division, Chair: LeRoy Stumpf**

3:00 PM Room 15 Capitol

**Agenda:** Continuation of discussion on S.F. 547-Johnson D.J. Continuation of public testimony.

**Legislative Commission on Pensions and Retirement, Chair: Rep. Wayne Simoneau**

5:00 PM Room 10 SOB

**Agenda:** To be announced.

**Thursday, March 19, 1987**

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** S.F. 469-DeCramer: establishing standards for mopeds. S.F. 449-Stumpf: occupied caboose on certain trains.

**Governmental Operations Committee, Chair: Donald Moe**

8:30 AM Room 15 Capitol

**Agenda:** S.F. 206-Willet: State energy contract bidder requirements. Continuation of S.F. 281-Marty: deputy registrars.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 341-Lantry: Auto replacement parts; auto insurance unfair settlement practices. S.F. 793-Dahl: requiring repair, refund, or replacement, of new motor vehicles under certain circumstances.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 144-Waldorf: Inter-LATA interchange telephone companies and services deregulation. S.F. 677-Dicklich: telecommunications competitive services deregulation. S.F. 770-Frank: Telephone companies alternative regulation.

**Veterans Committee, Chair: Joe Bertram**

10:00 Room 107 Capitol

**Agenda:** S.F. 151-Bertram: Tuition exemption for Vietnam era veterans. S.F. 658-Larson: requiring the housing and care of veterans in the Fergus Falls residential treatment center. S.F. 213-Bertram: appropriating money to assist members of the Military Order of the Purple Heart to make claims against the federal government.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 PM Room 15 Capitol

**Agenda:** S.F. 233-Samuelson: Granting city of Brainerd authority to establish a port authority. Overview of Community Development Corps. and Small business in MN, Melva Radke, Jim Kline, and Terry Erickson.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 PM Room 107 Capitol

**Agenda:** S.F. 557-Lantry: Ramsey County; providing for a charter commission. S.F. 510-Lantry: St. Paul; issuance of capital improvement bonds. S.F. 490-Diessner: Washington County; authorizing county bonds for capital improvements.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Public testimony from interested persons regarding: Mastery Learning Programs, ESV-MIS Programs, and ECSU's. Call 296-8018 if you wish to testify.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 123 Capitol

**Agenda:** Continuation of the budget overview of the Department of Human Services.

**Finance Committee State Departments Division, Carl Kroening**

3:00 PM Room 125 Capitol

**Agenda:** Budget overviews of the Office of Mediation Services and the Department of Administration.

**Agriculture Subcommittee on Agricultural Resources**, Chair: Gary DeCramer

7:00 PM Room 112 Capitol

**Agenda:** S.F. 561-DeCramer: simplifying and clarifying the law governing soil and water conservation districts. S.F. 517-Stumpf: providing for select sale, and development of state land to produce wild rice.

**Health and Human Services Subcommittee on Health and Health Financing**, Chair: John Brandl

7:00 PM Room 15 Capitol

**Agenda:** S.F. 872-Brandl: MA nursing home therapy services. S.F. 598-Berglin: Hospital moratorium. S.F. 787-Berglin: Eligibility requirements for MA and GMAC and recovery of benefits. Call 296-4837 if you wish to testify.

**Health and Human Services Subcommittee on Social Services and Government Administration**, Chair: Pat Piper

7:00 PM Room 123 Capitol

**Agenda:** S.F. 514-Berglin: Ombudsman for Mentally Ill. S.F. 828-Reichgott: child protection. S.F. 79-Pogemiller: revise and update podiatrist licensure. S.F. 788-Berglin: chemical dependency consolidated fund. S.F. 709-Willet: Corrections - requires Commissioner to authorize travel for funeral and death bed visits. S.F. xxx-Freeman: Ombudsman for Older Minnesotans. Call 296-9248 if you wish to testify.

## Friday, March 20, 1987

**Education Committee Education Aids Division**, Chair: Randolph Peterson

8:00 AM Room 15 Capitol

**Agenda:** Public testimony from interested persons regarding: Comprehensive Arts Planning Program (CAPP), tobacco use prevention, and community education. Call 296-8018 if you wish to testify.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 107 Capitol

**Agenda:** S.F. 729-Frederickson, D.J.: providing that unleaded gasoline be blended with ethanol.

**Education Committee Higher Education Division**, Chair: Gregory Dahl

10:00 AM Room 112 Capitol

**Agenda:** To be announced.

**Finance Committee Agriculture, Transportation, and Semi-States Division**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Department of Transportation continued.

**Judiciary Committee Criminal Law Division**, Chair: Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** S.F. 321-Merriam: DWI partial breath tests; extending DWI - BWI to other impairing substances. S.F. 644-Bertram: DWI wine testing for drugs. S.F. 690-Reichgott: DWI blood or urine testing for drugs. S.F. 611-Renneke: Amateur radio access to police emergency radio communications. S.F. 764-Reichgott: Exemption from husband-wife privilege in child abuse cases. S.F. 781-Peterson, D.C.: parental kidnapping.

**Environment Subcommittee on Public Lands and Waters**, Chair: Steven Novak

12:00 PM Room 112 Capitol

**Agenda:** S.F. 423-Stumpf: Red River North Dike appropriation. S.F. 481-Stumpf: additions, deletions from state park waysides. S.F. 535-Stumpf: DNR Board of Regents. S.F. 626-DeCramer: Program for nature prairie land. S.F. 592-DeCramer: Discharge of dredged and fill material. S.F. 405-Benson: Mystery cave, addition to Forestville State Park.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl

1:00 PM Room 125 Capitol

**Agenda:** S.F. 388-Marty: authorizing the PCA to issue administrative orders assessing penalties.

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** Research findings on State Work/Welfare initiatives. Implications for welfare reform. Jan Smaby, President, Spring Hill Center. Judith M. Gueron, President, Manpower Demonstration Research Corporation. S.F. 408-Lantry: DHS study committee - elderly with mental retardation and related conditions. S.F. 735-Adkins: Statewide interpreters for hearing impaired. S.F. 788-Berglin: chemical dependency consolidated fund.

**Judiciary Committee Civil Law Division**, Chair: Tad Jude

2:00 PM Room 107 Capitol

**Agenda:** S.F. 412-Luther: environmental protection lien. S.F. 189-Jude: mechanic's lien. Any bill laid over from Monday March 16th.

For further information or last minute additions please call the Senate Information Office at 296-0504 or the Senate Hotline at 296-8088

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## The Minnesota Senate Week in Review March 20, 1987

### Economic development bill recalled

The controversial bill allowing for the release of \$24 million from the 2002 Fund for economic development on the Iron Range was recalled from the House during the Monday, March 16, Senate session. News of an FBI probe of Endotronics, Inc., that surfaced late last week after the Senate had voted final passage on the measure, prompted Majority Leader Roger Moe to make the motion for recall. Moe said, "I made a flawed decision in allowing the vote to go forward and that was wrong." Moe apologized to members of the Senate and accepted full responsibility for the situation. After moving for recall of H.F. 92, Moe indicated that the next motion would be to reconsider the vote by which the bill had gained final passage and, finally, that he would move that the bill be sent to the Committee on Economic Development. Moe urged the Senate to support his motion for recall and the subsequent motions so that "we can give the taconite counties the tools needed to revitalize the Iron Range. H.F. 92 must be rid of the albatross of Endotronics."

Supporters of the bill, Iron Range Senators Ron Dicklich and Douglas Johnson, vehemently opposed the recall motion. Pointing out that the bill did not mention Endotronics by name, Johnson pleaded for economic aid for the distressed Iron Range, and emphasized that the bill released money from a special fund set up with proceeds from taconite taxes.

Independent Republicans strongly supported the recall motion. Sen. Don Storm and Sen. Fritz Knaak argued that the legislative process had been damaged by the earlier vote on the bill and that the recall motion must prevail in order to restore integrity and credibility to the process.

The recall motion prevailed on a 51-15 roll call vote. Subsequent motions to reconsider the vote and to refer the bill to committee were also approved on voice votes.

### Panel okays Canterbury Downs tax bill

The bill lowering the amount of tax Canterbury Downs pays and increasing the amount of money set aside for purses won the General Legislation and Public Gamin Committee's approval Wednesday, March 18, on a close 6-4 vote. The bill, S.F. 734, sponsored by Sen. Robert Schmitz (DFL-Jordon), was referred to the tax committee for further action.

Last year, the track paid about \$6.7 million in parimutuel taxes and it experienced about a \$7 million shortfall because it needed to fund higher purses to attract more competitive racing. The parimutuel tax, track officials claim, is double taxation—once on gross receipts and again on profits. The bill reduces the amount of tax to save the track about \$5 million. Furthermore, to help Canterbury Downs attract owners of better horses, the bill requires more of the money bet at the track to be set aside for purses.

Speaking in opposition to the bill, Sen. Charles Berg (DFL-Chokio) said the track has not been operating long enough to determine if the proposed tax reduction is warranted. In addition, approving the bill, Berg said, is sending "a wrong message to the people we serve back home."

Schmitz argued that the bill would help the track succeed as well as the many related industries serving the track.

In other action, the committee referred two bills to the Finance Committee. S.F. 23, sponsored by Sen. Florian Chmielewski (DFL-

Sturgeon Lake), directs an archaeological site assessment and tourist study of the Fond du Lac area. S.F. 269, also authored by Chmielewski, restores about \$364,000 in state funding for county fair prizes. Funding approval for both bills will be determined by the Finance Committee.

### Drug testing bill approved

After several weeks of discussion and testimony the Employment Committee Tuesday, March 17, approved a bill establishing procedures for drug testing in the state.

The bill, S.F. 61, authored by chair Florian Chmielewski (DFL-Sturgeon Lake), stipulates that employers choosing to use drug tests must adopt written drug policies and give notice of the policy to employees prior to testing. Other provisions are that established reliability and fairness safeguards must be followed and that privacy and confidentiality safeguards be met. The bill makes allowances for federal preemption and for collective bargaining between employers and workers.

Tony Lapoko, director of consumer affairs for the Minnesota AFL-CIO and Rick Scott of AFSCME spoke in support of the measure as did Nancy Christianson, director of legislative management relations, Minnesota Chamber of Commerce.

Opposing the bill, however, was Jack Mogelsen, representing the Minnesota Teamsters Union and the Minnesota Civil Liberties Union. Mogelsen supported major educational programs aimed at drug abuse rather than drug tests to get people off drugs. He said that with the bill, "we're changing the perception of children and adults relative to privacy." In his testimony, Mogelsen was adamantly against random drug testing, but committee members viewed the measure as a "treatment bill," following an amendment to include drug and alcohol counseling as a means to retain employees' jobs once they've been confirmed as drug users.

The measure was re-referred to the Finance Committee because of a provision requiring that the Dept. of Health certify drug testing labs and that labs be monitored for standards.

### Six year license plate bill gains

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), met Friday, March 13, and approved a bill providing that passenger automobile plates be issued every six years.

One implication of S.F. 63, authored by Sen. Marilyn Lantry (DFL-St. Paul), is that all plates two years old or older will have to be replaced by July 1, 1987.

According to Lantry, a \$2 fee will be charged to each auto owner for reissuance of the plates, and the revenue raised from the reissuance will result in little fiscal impact on the state.

A major amendment to the bill, offered by Sen. Gregory Dahl (DFL-Coon Rapids), which would have provided for the lifetime issuance of license plates, was defeated.

The bill was sent to the Senate floor.

In other action, the committee approved S.F. 27, authored by Sen. James Pehler (DFL-St. Cloud), allocating a \$500,000 deficiency payment to the city of St. Cloud for an assessment for street and pedestrian improvements. The allocation is included in the governor's deficiency budget for 1987.

# Committee Capsule

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## Agriculture

### School milk program gains

A bill establishing a state milk program for grades K-6 gained approval from the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), Fri., Mar. 13.

S.F. 221, authored by Sen. Joe Bertram (DFL-Paynesville), states that school districts will provide an additional one-half pint of milk that is not otherwise available at times other than meal periods to elementary students in both public and private schools.

Under the bill's provisions, approximately \$8.4 million dollars would be appropriated from the state to the Dept. of Education to reimburse school districts for providing additional milk to the 402,859 elementary age students in the state. The federal school lunch program already provides free milk as part of the lunch program. S.F. 221 is intended to supplement the milk already provided in the federal program, not replace it, Bertram said.

The bill would be of benefit to Minnesota's dairy farmers as well as the students, Bertram said. Representatives of the Minnesota Farmers Union, the Minnesota Farm Bureau and Land O' Lakes also spoke in support of the bill.

The next panel to hear the measure will be the Education Committee.

### Ag development bill supported

A bill re-naming the Agricultural Resource Loan Guaranty Board the Agricultural Development Board and granting the board broader powers and more flexibility in choosing projects to fund received approval from the Agriculture Committee, Mon., Mar. 16.

Sen. LeRoy Stumpf (DFL-Plummer) added amendments to his bill, S.F. 426, requiring that loans may be made only for processing endeavors and specifying that financing not be provided to businesses which operate in competition with existing businesses.

The committee, chaired by Sen. Charles Davis (DFL-Princeton), also approved an amendment offered by Sen. Michael Freeman (DFL-Richfield), which eliminated a provision in the bill allowing that fees collected from the program earnings may be applied toward costs of administering the program. The Dept. of Energy and Economic Development administers the loan guaranty program. Freeman maintained that administrative costs should be allocated from the general fund.

The measure was referred to the Finance Committee.

### Panel approves UCC filing system

Legislation providing for a statewide Uniform Commercial Code filing system for filing and notification of security interests received approval from the Agriculture Committee, Wed., Mar. 18, following two hearings on the measure.

Secretary of State Joan Growe and Sen. Randolph Peterson (DFL-Wyoming), author of S.F. 652, said the measure will protect buyers from making purchases which have a lien attached.

A major segment of the measure was amended out of the bill during the evening session. The original plan included a computerized farm products filing and notification system which Peterson said would protect agricultural buyers from "double jeopardy"—a situation occurring when an individual purchases an agricultural product without the knowledge that a lien is attached. Up until passage of the 1985 Farm Act, grain dealers and agricultural product producers had been found liable for a lien obligation.

Arguing that the federal farm act removes the buyer's responsibility for the lien, opponents of the section relating to the computerized system for agricultural buyers were successful in having it removed. Other reasons for opposing the section were that the plan would cause more "rigamarole" for farmers by the accumulation of vast amounts of information and that the costs of implementing both filing systems would be too high.

The bill was re-referred to the Governmental Operations Committee.

## Commerce

### Karate bill laid over for study

A bill requiring the licensing of karate schools and expanding the board of boxing to include karate and adding two more members to the board, was laid over for interim study by the Commerce Committee, Tues., Mar. 17.

Sen. Tad Jude (DFL-Maple Grove), author of S.F. 154, said the bill was drafted in response to the death of a karate student last year. The issue of unregulated karate schools is a serious safety concern, according to Jude.

Jeanne Kuchera, parent of the teenager who died as a result of a blow received in a karate class, said that many of the instructors are "amateurs." She supported licensing of instructors and schools as well as establishing safety standards.

A large contingent of karate and other marshal arts enthusiasts crowded into the hearing room to oppose the measure. Major reasons for opposing the bill were that the term "karate" was too vague because there are many styles of marshal arts, that current safety and other regulatory measures are adequate now that Tae Kwon Doh-style karate has been included as an Olympic sport, and that new regulations will hinder small marshal arts businesses.

Several committee members told the marshal arts participants to expect regulation and licensing to become reality once the issue has been studied further.

The committee is chaired by Sen. Sam Solon (DFL-Duluth).

### Disclosure bill laid over

A bill requiring the disclosure of the brand of replacement parts used to repair automobiles was laid over in the Commerce Committee, Thurs., Mar. 19 following disagreement on one provision of the measure.

S.F. 341, authored by Sen. Marilyn Lantry (DFL-St. Paul), stated that auto owners will be notified when non-original parts are being uninstalled and that they will sign the estimate form which must disclose that parts, other than original equipment manufacturer's parts, are being installed.

Car insurance company representatives and several senators thought the provision discouraged price competition.

Lantry said parts other than original equipment parts are sometimes inferior and that consumers should have the option of choosing to use original parts or "after market parts."

### Panel approves arbitration program

The Subcommittee on Consumer Protection approved a measure requiring persons obtaining used motor vehicle dealers licenses to participate in a consumer arbitration program.

The subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), devoted hearings Mar. 17 and Mar. 19 to the bill which applies the "lemon car" law arbitrations to used cars.

Under S.F. 18, used cars are subject to implied warranties of merchantability for 60 days following the date of sale for the purposes of permitting disputes to be arbitrated. Disputes concerning vehicles sold for less than \$1,000 or which have more than 100,000 miles on them are excluded from the arbitration program.

The bill also requires a bond of \$100,000 to be posted by motor vehicle auctioneers. The bill had sought to increase the bond for other dealers from \$25,000 to \$35,000 but was amended back to the original amount by Sen. Phyllis McQuaid (R-St. Louis Park).

The bill was referred to the Commerce Committee.

## Economic Development and Housing

### Urban revitalization plan presented

A bill establishing an urban revitalization action program for distressed neighborhoods in the cities of Minneapolis and St. Paul,

was presented to the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), Thurs., Mar. 12. S.F. 521, authored by Sen. Linda Berglin (DFL-Minneapolis), provides for a low income housing credit program and makes changes in certain special assessment payment procedures. The bill also requires that the State Planning Agency authorize appropriate funding for program implementation.

Support in favor of the bill was heard from St. Paul Mayor George Latimer, Minneapolis Mayor Don Fraser, Brenda Draves of the American Indian Business Development Corporation, and Minneapolis City Council member Brian Coyle. In addition, written endorsements of the bill were submitted by the Minneapolis and St. Paul Delegations of the Senate. The bill was laid over until panel members have further opportunities to discuss provisions of the plan.

In other action, the committee approved and re-referred to the Tax Committee S.F. 533. The bill, authored by Sen. Jim Gustafson (IR-Duluth), establishes that land in the city of Hermantown, held by the city for economic development purposes, is tax exempt until the land becomes developed and/or more than one-half of the land is used for private development.

S.F. 468, sponsored by Sen. Ember Reichgott (DFL-New Hope), authorizing the establishment of the Institute for Invention and Innovation, was presented to the committee. The bill, requesting \$2.2 million for the Minnesota Historical Society to administer and establish invention centers in the Twin Cities, Duluth, Rochester, Moorhead, and Morris, was laid over until panel members can further consider provisions of the bill.

## Education

### Panel considers tuition pre-purchase program

Two bills that would establish education trust funds were presented to Higher Education Division committee members, Fri., Mar. 13. S.F. 588, sponsored by Sen. James Pehler (DFL-St. Cloud), establishes a prepayment plan in which families could pre-purchase their children's undergraduate tuition from a state trust. This legislation, said Pehler, "would remove the risk of tuition increases and expand educational opportunities." In addition, the bill would allow parents to deduct the tuition payments from taxable income.

Under the provisions of S.F. 588, parents would have the choice of choosing between two payment contracts. According to Pehler, Plan A provides that if the contract is terminated, the refund would be limited to the payment made, minus the administrative fees. Plan B is similar to Plan A, said Pehler, but allows for the refund to include all or a part of the accrued income.

S.F. 803, offered by Sen. Michael Freeman (DFL-Richfield), establishes an education savings plan, requires that the fund be administered by the Higher Education Coordinating Board (HECB) and that the accounts be invested by the State Board of Investment. The education savings plan would work in much the same way as an IRA. As with S.F. 588, contributions to the plan would be tax deductible. "The education savings plan program," said Freeman, "permits Minnesota taxpayers to invest up to \$2,000 a year, to a total of \$20,000, toward post-secondary education tuition."

Dr. David Longanecker, Director of the Higher Education Coordinating Board (HECB), told committee members that he applauds the efforts of S.F. 588 and S.F. 803, but believes the programs need to be studied at greater length. "We need to see if there are better ways to put programs like this together, to look at what is available on the national level, and to assess what new instruments could develop in the private sector," he said. According to Longanecker, a bill that would permit the HECB to conduct a study on the implementation and effectiveness of a tuition trust fund, has been introduced in the Senate. The study would cost nearly \$50,000, would be a top priority project for the HECB and would be completed by the end of calendar year 1987, Longanecker noted.

Sen. Gregory Dahl (DFL-Coon Rapids), laid the bills over for further study.

In other action, the committee approved S.F. 142, authored by Pehler, requiring that the state restore funds that were cut from four higher education institutions in the First Special Session of 1986.

The amounts are: \$6.4 million to the State Board of Vocational Technical Education; \$2.8 million to the Community College Board; \$5.7 million to the State University Board; and \$15.7 million to the University of Minnesota.

### Area learning center plan okayed

A bill that would establish area learning centers in the state was approved by the Education Committee, Mon., Mar. 16, and re-referred to the Health and Human Services Committee. S.F. 544, authored by Sen. James Pehler (DFL-St. Cloud), provides that five centers in the state be designated as area learning centers and that each center receive a planning grant of \$100,000.

"The area learning centers," said Pehler, "provide alternative education opportunities for non-traditional students, who, over a period of time, have had difficulty in learning and developing."

In other action, Wade Karli, Superintendent of the Minnesota State Residential Academies for the Deaf and the Blind, presented the committee with a two year plan that would enhance and improve learning opportunities for visually and hearing impaired students. Features of the proposal include: program evaluation; program development; staff development; interagency cooperation; and curriculum development.

### Education improvement plans examined

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met Wed., Mar. 18, to discuss the Governor's Discussion Group bill, S.F. 695.

Ruth Randall, Commissioner of the Department of Education, presented the bill and told panel members that while Minnesota ranks very high as a leader in education in the country, it is much lower on the international level. Therefore, said Randall, "the purpose of the governor's discussion group bill is to expand education opportunities and provide additional incentives for students through a framework of voluntary actions."

Randall reported that provisions of the bill include services and expanded opportunities for: the Voluntary K-12 Choice Program; school district organization; professional development; at-risk students; management assistance opportunities; and technology integration services.

According to Pehler, the bill sponsor, the Dept. of Education is requesting an appropriation of \$17.3 million for the programs in the next biennium — approximately \$7.0 million for new programs and \$10.0 million for existing programs.

Also on Wednesday, members began discussion on a bill that would give school teachers and principals increased opportunities to exercise their talents and creativity. "Structural reform is crucial," said Sen. John Brandl (DFL-Mpls.). "S.F. 171 provides that a school would no longer be accountable to the board in the conventional way for decisions about how the school uses the resources it is given." While the board would still make certain policy decisions, most of the authority would be transferred to teachers, principals and community members. S.F. 171 was laid over until panel members can further consider provisions of the bill.

## Education Aids

### Education aids budget review continued

The Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Thurs., Mar. 12, to continue discussions on the education aids budget. Dwight Lindbloom, Assistant Commissioner at the Department of Education, reviewed program initiatives and funding allowances for unique populations programs such as special education, limited english proficiency, migrant education, and education for the disadvantaged. Lindbloom reported that the department requested \$12.8 million for the 1988-1989 biennium and that the governor has recommended that the unique populations programs be allocated \$10.0 million over the biennium.

Charles Matthew, Manager of the Dept. of Education Child Nutrition Division, reported that the child nutrition program, which administers services to support and improve the health and well-being of children in the state, requested and received \$2.4 million for the next biennium under the governor's budget proposal.

# Committee Capsule

A discussion on funding allocations and program initiatives for professional development services provided by the Dept. of Education was presented by Dwight Lindbloom and Dale Rapp, Chairman of the Board of Teaching. Lindbloom examined state and local level professional development programs and said that the governor has recommended for fiscal years 1988 and 1989 that \$334,600 be made available for the School Management Assessment Center and Principal's Academies; \$200,000 for the establishment of research and development centers for teachers; \$250,000 to establish a program for mentor teachers; and \$100,000 to develop a strategy to reduce class sizes in certain elementary classes.

Presentations on education aid funding for Community and family education programs and health, safety and nutrition programs, library development, and teacher licensing were also given by representatives of the Dept. of Education.

## Committee completes aids budget review

Members of the Education Aids Division met Fri., Mar. 13 to wrap up the review of the education aids budget. Tom Melcher from the Dept. of Education, reported that the governor's budget recommends that the abatement aid program be allocated \$6.5 million in FY 1989 and \$6.5 million in FY 1989. In addition, Melcher discussed funding for the teacher extended leaves program and Unemployment Compensation program.

Connie Nelson, governmental relations liaison for the Dept. of Employee Relations, discussed with panel members the comprehensive fringe benefit planning program. Nelson reported that the governor's budget recommends an appropriation of \$50,000 in FY 1988 and FY 1989 for the Dept. of Employee Relations to develop a comprehensive fringe benefits plan.

Bill Asp, Director of Library Development, reported that the governor's budget proposal recommends that the library basic grants program be allocated nearly \$9.7 million over the next biennium, and that \$379,400 be allocated for library cooperation grants.

## Panel approves state insurance plan

The Education Aids Committee met Tues., Mar. 17, to discuss a bill that would permit school district employees to participate in a state insurance plan. Proponents of S.F. 501, authored by Sen. Ronald Dicklich (DFL-Hibbing), said that the change-over would allow school districts to participate in an insurance plan that offers more options than the plans currently used by the school districts and is more economical. Bill Raabe, a representative of the Minnesota Education Association (MEA), told panel members that "the state plan provides access to many benefits that school districts currently don't have." In addition, Raabe noted that the state insurance plan would not cost the Department of Education additional money and would address equity concerns.

Tom Deans, Legal Counsel for the School Boards Association (MSAB), testified in opposition of the bill saying that current insurance plan options for school employees are sufficient and that benefits for school district employees should not be administered on a regional or a state level.

After many exchanges of viewpoints, panel members deleted the funding appropriation section of S.F. 501, which will be considered at a later date, approved the bill and referred it to the full Education Committee.

In other action, the committee approved S.F. 344. The bill, authored by Sen. Steven Novak (DFL-New Brighton), allows intermediate school districts 916 and 917 to increase the mill levy for secondary vocational education institutions from .5 mill to .7 mill.

Panel members also began discussion on a bill that would establish a pilot program to reduce kindergarten through third grade class sizes. According to S.F. 502 bill author Sen. Donna Peterson (DFL-Mpls.), the program has been established to address concerns that large class sizes are detrimental to the education of students.

Under provisions of the bill, the commissioner of education would designate 20 school districts to test the pilot program and

would require that the class sizes be reduced to 15 students per teacher.

No action will be taken on the bill until committee members further consider provisions of the measure.

## Elections and Ethics

### Panel examines voting concerns

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Mar. 18, to consider four bills that would better facilitate the process of voting in the state of Minnesota. S.F. 260, authored by Sen. LeRoy Stumpf (DFL-Plummer), allows a combination of up to four municipalities to join together and form one election precinct for state and county elections.

S.F. 550, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), requires election judges to inform voters of the proper procedure for marking and folding ballots. In addition, the bill requires that the punch card electronic voting system "provide a method by which voters may select one party in a partisan primary election and to reject votes cast for candidates of party other than the one chosen by the voter," said Dicklich. Also, S.F. 550 specifies partisan primary ballot booklet page colors.

S.F. 260 and S.F. 550 were laid over for further discussion.

The committee approved S.F. 438, authored by Sen. Don Samuelson (DFL-Brainerd), which repeals an election law provision that a married woman or a widow who has not remarried be allowed to use the title "Mrs." and/or the initials of her husband on an official ballot.

S.F. 248, sponsored by Sen. Donna Peterson (DFL-Mpls.) was also approved by the committee and ensures the availability of absentee ballots for statewide elections.

## Employment

### Dislocated worker plan aired

The Employment Committee laid over a measure guaranteeing additional benefits to people who experience job loss through a plant closing, Thurs., Mar. 19.

S.F. 892, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides that six weeks of additional unemployment insurance will be awarded to people living in counties with high unemployment; that employers are required to provide employees, unions, communities and the Dept. of Jobs and Training with a plant closing notice as soon as feasible; that severance pay and health insurance payments are to be made by the employer following a plant closing; and that an employee may bring civil action in district court if the law is violated. Continued benefits provided for in the bill apply only to employees of firms with 100 or more workers.

Brad Robinson, president, Robinson Rubber Products of New Hope, labeled the bill a "going-out-of-business legislation" and predicted that it would discourage prospective companies from locating in Minnesota.

In other action, the committee, chaired by Chmielewski, approved S.F. 641, a measure designating that workers' compensation insurance premiums for township officials be based on actual wages. Currently, the required coverage is based on a \$5,200 minimum salary. According to Chmielewski, many township officials receive only \$100 or \$200 per year.

The bill was sent to the Senate floor.

## Environment and Natural Resources

### Bill proposes petroleum clean-up aid

The Environmental Protection Subcommittee, chaired by Sen. Greg Dahl (DFL-Lino Lakes), began considering a bill establishing a fund to help reimburse persons for cleaning up petroleum spills that resulted from leaky tanks. The panel took no action Tues., Mar. 17, on the bill, sponsored by Sen. Steven Novak (DFL-New Brighton).

The measure, S.F. 536, would require distributors of petroleum to pay a fee of \$10 for every 1,000 gallons of gasoline provided. The fees would be placed in the proposed clean-up fund, which would assist the owners of leaky petroleum tanks in cleaning up the spills. Under the program, the fund, administered by a newly-created board, would reimburse the owner 75 percent of occurred expenses that exceed \$10,000 and fall below \$100,000. This would not only enhance corrective action to protect the environment, but would also help owners of large petroleum tanks to acquire insurance against damages caused by the spills, Novak said.

According to Mike Robertson, Deputy Executive Director of the Minnesota Pollution Control Agency, up to 7,500 underground petroleum tanks in Minnesota are likely leaking and causing damage to the groundwater and the environment. In addition to promoting corrective action, the bill gives the PCA authority to order a person responsible for a leaking tank to take "reasonable and necessary corrective actions," Robertson explained.

The subcommittee will take action on the bill next week.

### Water skiing past sunset ban advances

A bill prohibiting water skiing past sunset failed to gain the endorsement of the Public Lands and Waters Subcommittee Wed., Mar. 18, but was referred to the full committee without recommendation. The bill, S.F. 606, authored by Sen. Joe Bertram (DFL-Paynesville), proposes to change the current ban of one hour after sunset to the sunset time.

Bertram said the proposal would increase safety on the lakes during the evening hours. He claimed that water skiers often are difficult to see on the lake when the sun is setting, thus accidents are more likely to occur. However, one water skier testified that the hour after sunset is the best time for skiing because the water is still. The panel was reluctant to make a recommendation without hearing opinions from the various water skiing associations.

The panel did approve a bill requiring the Dept. of Natural Resources to conduct public hearings when lake aeration permit applications are submitted. The bill, S.F. 48, sponsored by Sen. Jim Ramstad (R-Plymouth), originally would have prevented the DNR from limiting aerators on Hadley Lake in Hennepin County. The bill was changed by Novak to establish a process whereby all lake associations could voice their opinions concerning the need for additional aerators on their lakes. In addition, the bill allows the DNR to set sign posting and safety requirements on lakes where aerators are located.

Persons would be able to buy at reduced rates another vehicle state park permit for their second car, according to a measure approved by the subcommittee. The bill, S.F. 450, carried by Sen. James Pehler (DFL-St. Cloud), allows the second annual vehicle permit to be purchased for \$7.50. The annual state park permit fee is \$15. The bill also would allow Wisconsin residents displaying Wisconsin state park permits to enter Minnesota's Interstate Park at Taylors Falls without a Minnesota permit. That provision would be enacted if the Wisconsin Legislature adopts a reciprocal agreement, which would allow Minnesota residents displaying their state permit to enter the Wisconsin park.

Several additional bills won subcommittee approval Wednesday: S.F. 464 (Wegscheid) clarifying that some of the cross country ski license fees may be retained by the county where its issued; S.F. 299 (Johnson, D.J.) selling state land in Cook County; S.F. 338 (Johnson, D.J.) selling a tract of tax forfeited land in St. Louis County; S.F. 715 (Moe, R.D.) selling tax forfeited land in Polk County; and S.F. 678 (Novak) allowing Rice Creek Watershed District to increase administrative funds.

The Environmental Protection Subcommittee also met Wednesday. Committee members, chaired by Sen. Greg Dahl (DFL-Lino Lakes), advanced to the full committee a bill creating a solid waste management policy. The bill, S.F. 708, is sponsored by Sen. Gene Merriam (DFL-Coon Rapids).

### Bill extends RIM program

The Reinvest in Minnesota program would be extended another two years, according to a bill advanced Thurs., Mar. 19, by the Public Lands and Waters Subcommittee. Sponsored by Sen. Steven Novak (DFL-New Brighton), the bill authorizes \$36 million in bonding for

the RIM fund and appropriates \$4 million from the general fund to the various departments administering the program.

From the \$36 million in bonding, about \$20 million would be placed in the conservation reserve program. The Dept. of Natural Resources would get \$16 million, of which \$2.5 million would go into the critical habitat private sector matching account and \$1.5 million would be used for aspen recycling and other forest and wildlife management projects.

Among several changes to the program, the bill allows all types of public and private wetlands to be eligible in the waterbank program. And, a drained wetland basin would be eligible under the Dept. of Agriculture's conservation reserve program if it is provided as a perpetual easement for the restoration of the wetland.

A bill creating a fund to help owners of private forests better manage their resource also gained committee approval Wednesday. The bill, S.F. 879, sponsored by Sen. Gerald Willet (DFL-Park Rapids), allows owners of the forests to volunteer payments to the fund in order to take advantage of management programs offered by the Dept. of Natural Resources.

Willet said the proposal, supported by both the department and private owners, will help assure that private forests, which compose a great portion of the state's woodlands, are better managed.

The subcommittee also approved S.F. 461, carried by Willet. The bill alters laws relating to timber sales by extending the length of time when the timber must be cut following a sale from two to three years. The bill also changes interest charged when extensions to the time limit are granted.

All bills approved by the subcommittee, chaired by Novak, were sent to the full committee for further consideration.

## Finance

### Transportation budget before division

The Division on Agriculture, Transportation and Semi-State Agencies, chaired by Sen. Keith Langseth (DFL-Glyndon), began reviewing the governor's recommendation for the Dept. of Transportation's proposed budget. In his budget plan, the governor proposes keeping about \$230 million from motor vehicle taxes in the state's general fund to help eliminate the budget deficit. That money is designated for funding highway improvements over the coming biennium.

According to department estimates, the state will need about \$800 million over the next twenty years to improve the state's highway system. The governor has not yet submitted a highway funding plan to the Legislature for their review.

In other areas of the budget, department officials said they are requesting a total increase of about \$88 million over the biennium. That request does not include consideration of keeping the motor vehicle excise tax in the general fund.

In other action this week, the division reviewed various requests from historic sites operators throughout the state. According to John Wood from the Minnesota Historical Society, the governor has recommended a change in policy concerning the funding of historical sites. Current state policy has been to fund nearly all of the site operations from the general fund. The governor suggests that the historic sites become more self-supporting by charging more fees.

### Finance divisions continue budget reviews

The Division on Health and Human Services and the Division on State Departments continued their reviews this week of the governor's proposed budget and the agency's recommendations. The informational meetings provide committee members with insight into the various requests before the allocation process begins.

The Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls), heard requests from the Capitol Area Architectural and Planning Board, the State Treasurer's Office, the Dept. of Finance and the Council on Asian Pacific's. Chaired by Sen. Don Samuelson (DFL-Brainerd), the Division on Health and Human Services continued their overview of the Dept. of Human Services.

## General Legislation and Public Gaming

# Committee Capsule

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## Gambling revisions to Senate floor

A bill proposing several charitable gambling law changes, including an increase in the amount organizations may keep to cover expenses, won committee approval Fri., Mar. 13. Sponsored by committee chair Sen. Bob Lessard (DFL-Int'l. Falls), the bill, S.F. 192, was referred to the full Senate for final action.

One of the key provisions of the bill allows organizations to keep more of the net profits for covering allowable expenses. Under current law, 50 percent of the profit from bingo games may be used to cover expenses, and the other half must be donated to charity. For other forms of legal gambling, such as pull-tabs, at least 60 percent of the profit must go to charity and 40 percent may be used for expenses. The bill raises the amount for allowable expenses by five percent. And small organizations, those who have less than \$150,000 in gross receipts from bingo in a year, may keep 70 percent of the net profit from bingo events for allowable expenses.

Another proposed change increases the number of bingo occasions that an organization may conduct per week. Currently, an organization may not hold more than two occasions weekly, unless this limit is waived by the Charitable Gambling Board. A provision in the bill allows an organization to hold seven bingo occasions weekly. Furthermore, the limit on the amount of bingo occasions that may occur at one site during a week is raised from 4 to 21.

The committee adopted an amendment offered by Sen. Joe Bertram (DFL-Paynesville) prohibiting local governments from requiring an organization to donate more than 10 percent of their charitable earnings on local charities. Bertram said some charitable organizations have raised little for their charity because local governments required them to make local donations. Another amendment, offered by Sen. Phyllis McQuaid (R-St. Louis Park), also won the panel's okay. The amendment prohibits rental proceeds from premises owned by an organization and leased or subleased to another organization to be reported as gambling proceeds.

## Governmental Operations

### APA bill changes considered

The Governmental Operations Committee met Tues., Mar. 17, to continue consideration of a bill making changes to the Administrative Procedure Act. Discussion on the bill, S.F. 704, centered primarily on three sections: one that would establish a new procedure for adoption of federally mandated rules by the commissioner of human services, one that would set a statute of limitations for contested case proceedings, and one that would affect the powers and duties of the Legislative Commission for Review of Administrative Rules.

Another area of concern expressed by committee members, centered on the exemptions to the rulemaking procedures contained in current law. The bill, authored by Sen. Darril Wegscheid (DFL-Apple Valley), was laid over for further discussion and final action.

### Deputy registrars bill debated

Panel members met Thurs., Mar. 19, to continue discussion on S.F. 281, the bill abolishing the appointment of private deputy registrars. The bill, sponsored by Sen. John Marty (DFL-Roseville), as amended by the author would also remove a requirement that tax exempt vehicles be registered in the county of residence, immediately eliminate the private deputy registrar appointments in the four most populous counties and require that, after 1990, the counties take over the deputy registrar appointments upon the death or retirement of existing private deputy registrars.

An amendment, offered by Sen. Darril Wegscheid (DFL-Apple Valley), would have eliminated the requirement that tax exempt vehicles be registered in the county of residence, require an examination for appointment as deputy registrar and abolish the authority to appoint corporations as deputy registrars. The amendment failed on a 5-6 roll call vote. However, final action on the bill was precluded because of time constraints.

Earlier, committee members, chaired by Sen. Don Moe (DFL-St. Paul), did approve and send to the full Senate a bill imposing additional requirements on bidders for state energy efficiency installment purchase contracts. The measure, S.F. 206, authored by Sen. Gerald Willet (DFL-Park Rapids), makes the purchase of such equipment permissive rather than mandatory and adds the condition that the contract bidder be responsible. In addition, an amendment added the conditions that the maximum contract term would be ten years, that savings would have to exceed costs on an annual basis and that the purchase be competitive.

## Health and Human Services

### Panel studies welfare reform concepts

Members of the Income Maintenance and Welfare Reform Division met Fri., Mar. 13, to consider several measures altering various statutes dealing with welfare. According to division chair, Sen. Marilyn Lantry (DFL-St. Paul), the aim of the hearing was to hear the bills but delay taking formal action until work begins on an overall welfare reform bill. The division did, however, reach a consensus that the following three bills be included in the package. S.F. 125 creates a financial incentive for counties to provide literacy training for GA recipients by reducing state aid for general assistance to those counties that fail to provide the training. As amended, the measure emphasizes literacy programs that are occupational and vocational in nature, and requires counties to provide child care and transportation to clients enrolled in the literacy training programs. In addition, the bill requires clients who are eligible for General Assistance because they are functionally illiterate to register with the local agency for adult literacy training and to participate in any available and accessible program assigned by the agency.

S.F. 332 extends the eligibility of all work readiness registrants to a maximum of six months during any consecutive 12 month period. Currently, the eligibility is limited to two months for many registrants.

S.F. 492, authorizes earned income savings accounts for general assistance recipients in residential chemical dependency treatment programs. Under current law, recipients are required to turn over all but \$50 of their earnings to the local agency for the cost of care. The bill allows savings of up to \$1,000 in order to allow the recipients to make the transition to independent living situations. All three measures were sponsored by Sen. Linda Berglin (DFL-Mpls.) and will be included in the welfare reform package.

Division members also began working on a departmental bill that makes numerous changes in the General Assistance and Work Readiness programs. The measure, S.F. 682, is also sponsored by Berglin.

### Ten bills advance

The Health and Human Services Committee met Tues., Mar. 17, and endorsed a total of ten bills. S.F. 593, authored by committee chair Sen. Linda Berglin (DFL-Mpls.), includes board and care homes with nursing homes for purposes of the pre-admission screening statutes. In addition, the bill provides for a minimum of 14 days written advanced notice of the opportunity to be selected as a service provider and for an annual public meetings with providers to explain and review the county's criteria for selection. The measure was approved and sent to the Senate floor.

S.F. 541, authored by Sen. John Brandl (DFL-Mpls.), provides a reimbursement formula for the costs of semi-independent living services for persons with mental retardation or related conditions and sets aside two percent of the appropriations to fund county demonstration projects that improve the efficiency and effectiveness of semi-independent living services. S.F. 278, sponsored by Berglin, authorizes a change in license fees that fund educational programs for resident and family advisory councils. S.F. 359, also carried by Berglin, increases the personal needs allowance, from \$40 to \$45, for residents of skilled nursing homes or intermediate care facilities. S.F. 224, authored by Berglin, creates an exception to the supplemental and negotiated rate cap.

S.F. 616, authored by Sen. Marilyn Lantry (DFL-St. Paul), establishes difficulty of care payments for children in foster care. S.F. 566, also sponsored by Lantry, authorizes Minnesota supplemental aid for a licensed boarding care facility. S.F. 581, authored by Brandl, authorizes the commissioner of human services to make direct payments to shelter facilities and allows the shelter facilities to appeal the denial of general assistance payments.

All seven of the preceding bills were approved and then re-referred to the Committee on Finance.

Division members also approved and re-referred to the Committee on Taxes and Tax Laws a bill providing an exemption from statutory levy limits for services to the aging. The bill, S.F. 360, is sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). S.F. 619, sponsored by Lantry, providing for a mental illness information management system, was approved and re-referred to the Judiciary Committee.

### **Mandatory support withholding discussed**

Members of the Income Maintenance and Welfare Reform Division met Wed., Mar. 18, approved two measures for inclusion in the omnibus welfare bill and began discussion on a bill that would require mandatory withholding of child support payments. The two bills approved for the omnibus bill included S.F. 682, sponsored by Sen. Linda Berglin (DFL-Mpls.) and S.F. 795, authored by Sen. John Brandl (DFL-Mpls.). S.F. 682 changes a number of provisions in the General Assistance and Work Readiness programs. The measure attempts to insure equity between different types of families on General Assistance/Work Readiness and between families on AFDC and General Assistance/Work Readiness. In addition, the bill requires functionally illiterate persons to cooperate with literacy programs, closes loopholes for eligibility determination and clarifies the status of benefits to minors who are not living with a parent or guardian. S.F. 795 bars the retroactive modification of child support arrearages and brings Minnesota law into compliance with federal requirements.

S.F. 242, also sponsored by Berglin, makes a number of changes relating to paternity actions and child support collection. Hennepin County Attorney Tom Johnson spoke in support of the measure and outlined the advantages of the bill. Testimony will continue on the measure.

## **Judiciary**

### **Pipeline Safety Act advances**

The Pipeline Safety Act cleared its fourth hurdle Fri., Mar. 13, when members of the Judiciary Committee approved the measure and sent it to the Governmental Operations Committee. S.F. 90, authored by Sen. Steven Novak (DFL-New Brighton), is designed to strengthen pipeline safety procedures and reflects many of the recommendations made by the Governor's Commission on Pipeline Safety.

The measure establishes procedures for governmental units and pipeline companies to follow in order to be better prepared in the event of a pipeline emergency. The bill creates an office of pipeline safety, which would maintain a data base on pipeline releases and coordinate emergency responses. In addition, the pipeline operators would be required to file maps of their pipeline systems with the office, the Dept. of Transportation and with local governments. The operators are also required to file emergency response plans with the office and with sheriffs in the counties being crossed by pipelines. For their part, local units of government would be required to prepare emergency response plans. A one-call notification center is created under the bill to respond to inquiries about the location of pipelines. Finally, the Environmental Quality Board is given the authority to issue routing permits for new pipelines.

In other action, committee members, chaired by Sen. Allan Spear (DFL-Mpls.), also granted approval to a bill that would include operators of road maintenance equipment under the DWI and implied consent statutes. The measure, S.F. 324, is sponsored by Sen. Richard Cohen (DFL-St. Paul).

### **Death notice bill advances**

A bill requiring that the biological parents of an adopted child be

notified if the child dies gained the endorsement of the Civil Law Division Mon., Mar. 16. S.F. 439, authored by Sen. Pat Piper (DFL-Austin), also requires that the adoption agency notify adoptive parents of the death of their child's biological parents. The adoptive parents could decide whether to tell their children.

Division members, chaired by Sen. Tad Jude (DFL-Maple Grove), also approved a measure allowing counties to recover medical assistance payments upon the death of the recipient. The measure, H.F. 18, is carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

The Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), also met Mon., Mar. 16, and advanced two measures to the full committee.

H.F. 151 allows the Crime Victims Reparation Board to request restitution on behalf of a victim. The bill also specifies that restitution may be denied if the claimant was in the act of committing a crime at the time the injury occurred. The measure also spells out a procedure for a claimant to apply for reconsideration of a decision by the board and provides that a claimant denied reparations upon reconsideration is entitled to a contested case hearing. Finally, the bill requires law enforcement agencies to inform victims of the right to file a claim.

Division members also endorsed H.F. 147, expanding the crime of witness tampering to include the act of intimidating the witness to make false statements.

Both measures were sponsored by Peterson.

In addition, division members began discussion on a bill prescribing higher penalties for major theft and extending the statute of limitations for most crimes to five years. The measure, S.F. 613, is authored by Sen. Tad Jude. Most of the debate on the bill centered on an amendment, offered by Jude, dealing with automobile theft. At issue is a provision of the amendment requiring insurance companies to notify and release insurance policy information to law enforcement and prosecutorial authorities regarding motor vehicle thefts under investigation. Because of time constraints the measure was laid over for further discussion.

### **Court study approved**

Committee members approved and sent to Finance a measure directing the Supreme Court to conduct a study on gender bias in Minnesota courts. The measure, S.F. 950, authored by committee chair, Sen. Allan Spear (DFL-Mpls.), specifies that the study encompass all aspects of the court system and determine the manifestations and extent of sex bias in courtroom interaction.

In other action, panel members approved a bill extending the powers of arrest across jurisdictional lines for off-duty police officers employed by the Metropolitan Transit Commission. The measure, S.F. 420, is sponsored by Sen. Donna Peterson (DFL-Mpls.). H.F. 202, carried by Sen. Ember Reichgott (DFL-New Hope), also gained committee approval. The measure authorizes corporations organized under Chapter 300 to amend their certificate of incorporation to eliminate or limit a director's personal liability for breach of fiduciary duty.

Finally, panel members endorsed another Reichgott bill, S.F. 539, that specifies that if the petitioner for an order for protection admits the abusing party to the petitioner's dwelling, the order for protection is not violated. The measure sparked considerable debate over the provisions of the bill that specify that the petitioner is not also in violation of the order by admitting the abusing party into the dwelling.

## **Local and Urban Government**

### **Volunteer fire department bill gains**

A measure allocating \$10 million to the state building fund to dispense loans of up to \$50,000 to volunteer fire departments across the state received approval from the Local and Urban Government Committee, Thurs., Mar. 12.

Sen. Douglas Johnson (DFL-Cook), author of S.F. 339, added an amendment requiring that the local government receiving the loan repay the state at an interest rate sufficient to cover the cost to the state of borrowing the money.

Loans for the volunteer fire departments may be used for the purchase, construction or rehabilitation of buildings or other capital

# Committee Capsule

equipment used in fire fighting but not for maintenance or operating expenses. The bill further states that the local government may levy a property tax sufficient to repay the loan.

S.F. 339 was sent to the Finance Committee for further action.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved a bill, S.F. 403, authored by Sen. Joe Bertram (DFL-Paynesville), requiring that newspapers not meeting the requirements to be an official, legal publication not accept a public notice for publication. Sen. Jim Metzen (DFL-South St. Paul) added an amendment that the newspaper not meeting legal requirements make notice of their status to the public representative attempting to insert a legal ad in the publication. The bill was recommended for the Consent Calendar.

## Taxes and Tax Laws

### Division considers income tax changes

Child care credits and fraternal insurance premiums, both slated for changes in Gov. Rudy Perpich's income tax reform plan, became the focus of discussion and testimony when the Income Tax Division met Tues., Mar. 20.

Fraternal organizations that provide life and health insurance policies to their members, and in addition, provide charitable and benevolent programs to society, will be forced to reduce their charitable programs if the two percent tax on insurance premiums is extended to fraternal, according to John Murphy, representing the Fraternal Benefit Society.

"The state of Minnesota will be the loser" if the premium tax exemption is eliminated, Murphy said. The 61 fraternal organizations operating in the state gave \$7 million in charitable donations last year, Murphy said.

Prefacing remarks made by opponents of the plan to change the child care credit, Dept. of Revenue Assistant Commissioner John Haynes explained that the plan calls for replacing the existing credit with a non-refundable credit equal to 20 percent of the credit allowed under the federal law. He said that under the present state law, taxpayers with an income under \$10,000 are allowed a credit equal to the federal credit and that eligibility for the credit is capped at earnings of \$24,000.

Aviva Breen, Executive Director, Commission on the Economic Status of Women, spoke in favor of retaining the refundable child care credit. She said the current system better targets low-income families.

Dru Osterud of Child Care Works and Pam Neary, National Organization of Women, also spoke in favor of retaining the current credit.

The division is chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

### Reactions to sales tax plan heard

Opponents of the governor's sales tax reform plan spoke at the Sales Tax Division's third public hearing on the proposal, Wed., Mar. 18.

Representatives from nine groups, including Minnesota Citizens For The Arts, Association of Metropolitan Municipals, Minnesota Automobile Dealers Association, Minnesota Association of Small Cities, League of Minnesota Cities, YMCA and YWCA, Girl Scouts of Minnesota and Care Providers of Minnesota, expressed their concerns with the measure.

Each group, excluding the Minnesota Automobile Dealers Association, opposed the plan to extend the sales tax to non-profit groups, claiming that it would result in a decline of programs and services.

Louis Claeson, Jr., counsel for the Minnesota Automobile Dealers Association, opposed the automobile excise tax contained in the plan but said he was not adverse to extending taxes to automobile services.

Each speaker was asked to offer an alternative on how the state could raise additional revenue if not through extending the sales tax. Roughly half felt funds could be raised from extending the sales tax to currently exempt goods and to personal services and half suggested revenue raising could be shifted to income taxes, if not through raising the tax, then by withholding some of the "windfall"

of federally collected tax dollars being returned to the state.

Sen. Douglas Johnson (DFL-Cook), author of S.F. 547, which contains the sales tax proposals, suggested to the chair, Sen. LeRoy Stumpf (DFL-Plummer), that the committee begin hearings for supporters of the bill.

## Transportation

### Highway transit amendment advances

The Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met Tues., Mar. 17, and approved a constitutional amendment that would require voters in the next general election to decide whether 75 percent of the proceeds from the motor vehicle excise tax should be dedicated to highway funding and 25 percent to transit funding in order to provide long range planning and stability for highway funding.

S.F. 36, sponsored by Sen. Gary DeCramer (DFL-Ghent), states that if the measure is ratified by the voters in 1988, motor vehicle excise tax proceeds would be used for the sole purpose of highway and transit services and programs. According to DeCramer, if the amendment is ratified, the legislation would become effective January 1, 1989.

"If we don't keep up with the transit work that needs to be done now," said Roger Peterson of the Association of Metropolitan Municipalities, "we're going to be in big trouble 15 years from now — and if it's going to take a constitutional amendment, we support it." Other proponents of the bill that testified before the committee in strong support of the bill included: Vern Ingvalson of the Minnesota Farm Bureau, Abe Rosenthal of the Minnesota Transport Services Association, Jerry Hayes of the Quality Transit Coalition, Bob Lindahl of the Southwest Corridor Transportation Coalition, and Ken Paulson of the County Engineers Association.

S.F. 36 was re-referred to the Finance Committee.

### Moped and railway bills approved

Members of the Transportation Committee met Thurs., Mar. 19, and approved a measure that establishes operating standards for mopeds. S.F. 469, sponsored by Sen. Gary DeCramer (DFL-Ghent), requires that motorized bicycles be treated as motorcycles and that operators of mopeds be insured. The bill also requires that drivers operating the machines must have either a driver's license or a motorized bicycle permit. Restrictions include prohibiting the carrying of passengers, prohibiting driving the vehicle during the nighttime, requiring that operators wear protective headgear, and requiring that drivers may not operate the vehicle unless headlights are on.

In other action, the committee approved S.F. 449. The bill, authored by Sen. LeRoy Stumpf (DFL-Plummer), requires that rail trains 2,000 feet or longer carrying hazardous substances, must attach a caboose car.

Support for the bill was heard from Robert Carlson, Mayor of Thief River Falls, and Willis Croonquist, Legislative Director for the United Transportation Union. "Safety is being compromised," said Carlson indicating that railroad companies do not use caboose cars because of additional costs. "We shouldn't be trading our safety for the benefit of the profit of the railroad," he said.

Opponents of the bill, Earl Currie of the Soo Line Railroad, John Ghomann of the Midwest Transfer Railway, Jack Burke of the Duluth Missabe and Iron Range Railway Company, John Ainley of the Agri-Growth Council, and Lynn Anderson of the Dakota Minnesota and Eastern Railroads, told panel members that the adoption of S.F. 449 would not solve safety concerns, and could increase railway operation costs as much as \$1.0 million annually. "This is \$1.0 million we do not have," said Anderson, "and if the bill does pass, we would have to increase rates and cut back on services."

## Veterans

### State aid to help vets present claims

The state would provide financial assistance to help veterans prepare claims against the federal government for "compensation and benefits to which they are entitled as a result of disabilities incurred in military service," according to a bill advanced by the

committee Thurs., Mar. 19.

The bill, S.F. 213, appropriates \$10,000 from the state general fund to the Military Order of the Purple Heart for the assistance. Sponsored by committee chair Sen. Joe Bertram (DFL-Paynesville), the proposal was referred to the Finance Committee for further action.

The committee also approved a bill restoring the AVTI tuition exemption for Vietnam-era veterans. S.F. 151, also carried by Bertram, changes the current law, which only gives tuition to Vietnam-era veterans who had previously enrolled in a tuition-free AVTI course and those veterans who enrolled in an AVTI before July 1, 1990. Under the proposal, all Vietnam-era veterans could take AVTI courses tuition free.

According to Senate Counsel, the proposal could cost the state up to \$2.7 million during the next biennium. The bill was referred to the Education Committee for further consideration.

In other action Thursday, the committee approved a bill permitting the Fergus Falls residential treatment center to house and take care of veterans. The bill, S.F. 658, is sponsored by Sen. Cal Larson (R-Fergus Falls).

## Floor action

### Hennepin light rail bill gains

In other action Mon., Mar. 16, the Senate granted final passage to three measures on the Consent Calendar and preliminary approval to a number of bills on the General Orders Calendar. One of the measures, S.F. 282, allows Hennepin County to proceed with planning for light rail transit. The measure, sponsored by Sen. William Luther (DFL-Brooklyn Park), removes a prohibition banning regional rail authorities from engaging in the planning and development of light rail transit. By removing the prohibition, Hennepin County gains the authority to continue with the development of a light rail line between downtown Minneapolis and the western suburbs.

Fourteen other measures received preliminary approval. S.F. 365 (Merriam) requires enforcement officers to have "probable cause" before entering buildings to determine whether wild animals are stored in compliance with the game and fish laws. S.F. 306 (Jude) removes the compensation limitation for members of statutory city park boards. S.F. 131 (Bertram) authorizes the Department of Transportation and local road authorities to reduce speed limits in work zones. S.F. 322 (Waldorf) provides for the retention and collection of spent lead-acid batteries by requiring retailers to collect and properly dispose of used batteries. S.F. 456 (Spear) prescribes "small amount" of marijuana in metric terms and clarifies the Schedule II definition of cocoa leaves to include cocaine and

ecgonine, and their salts and isomers.

S.F. 653 (Spear) memorializes the Union of Soviet Socialist Republics to grant exit visas to Jewish prisoners of conscience. H.F. 127 (Jude) provides that pledges to make contributions to adoption service corporations to cover expenses shall be voidable at the option of the person making the pledge and that payment of expenses shall not be a prerequisite to providing adoption services. S.F. 409 (Cohen) requires mandated reporters to report past occurrences of child abuse or neglect and requires the investigation of reports of past occurrences of child abuse or neglect in a facility. H.F. 27 (Luther) delays the effective date of amendments to statutes governing control share acquisitions statutes. S.F. 499 (Jude) provides for prima facie effect of certain statements in an acknowledgment and authorizes owners to create tenancies in common by direct conveyances to themselves and others.

S.F. 470 (Solon) authorizes the filing of the plat of Spirit Valley. S.F. 406 (Dahl) regulates the distribution and sale of motor vehicles and limits the granting or relocating of certain franchises. S.F. 457 (Luther) regulates collection agencies and those acting under the authority of a collection agency, provides for cash deposits in lieu of the required bond and prescribes the enforcement powers of the commissioner of commerce. S.F. 482 (Metzen) regulates the termination of certain insurance agency contracts and requires agencies and agents to attempt to work out differences before agents are terminated. S.F. 673 (Piper) allows the use of standards established by the Institute for Chemical Dependency Professions of Minnesota, Inc. for chemical dependency professionals.

The three bills gaining final passage included: H.F. 130 (Novak) authorizing Ramsey county to transfer land to the city of Shoreview and authorizing Ramsey County to use certain land dedicated as open space for highway purposes; S.F. 480 (Gustafson) authorizing the city of Duluth to establish a design advisory committee, and to establish design review procedures to preserve and enhance the city's appearance and environmental quality; and S.F. 529 (Diessner) authorizing payment of less than the minimum wage for work activities of handicapped persons in state facilities.

### Bills granted final passage

The Senate met for a brief floor session Thurs., Mar. 20, and granted final passage to all of the bills given preliminary passage during the Monday session. In addition, three measures on the Consent Calendar were given final passage. H.F. 688 (Spear) classifies the substance alfentanil as a Schedule II controlled substance. H.F. 166 (Johnson, D.J.) authorizes the conveyance of specific state land in St. Louis County. S.F. 403 (Bertram) provides that only qualified newspapers may accept legal notices for publications.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 23, 1987

Education Committee, Chair: James Pehler

8:00 AM Room 15 Capitol

Agenda: S.F. 425-Pehler: Modifying certain provision of the compulsory attendance law; establishing new compulsory attendance requirements. S.F. 452-DeCramer: Expands HECB's career guidance program; changing membership. S.F. 350-Pehler: Appropriate money to State University Board for women's intercollegiate athletics.

Finance Committee Health and Human Services Division, Chair: Don Samuelson

8:00 AM Room 125 Capitol

Agenda: Continuation of the budget overview of the Department of Human Services.

Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

Agenda: S.F. 717-Berg: Strengthening the pesticide laws.

Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth

10:00 AM Room 123 Capitol

Agenda: Department of Transportation continuation.

Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

Agenda: S.F. 424-Berglin: Court disclosure of child abuse reporters. S.F. 286-Spear: Gross misdemeanor property crimes, repeat assault, bail limits, petty misdemeanor fines, etc.

Economic Development and Housing Committee, Chair: Don Frank

12:00 Noon Room 15 Capitol

Agenda: S.F. 84-Dahl: Authorizing loans and grants and guaranteeing loans to small businesses. S.F. 697-Frederickson: Authorizing counties to appropriate money

for economic development. S.F. 918-Solon: Appropriating money for the seaway port authority of Duluth.

**Local and Urban Government Committee**, Chair: Bob Schmitz  
12:00 Noon Room 107 Capitol

**Agenda:** S.F. 348-Novak: Cost evaluating system of Metropolitan Waste Control Commission. S.F. 617-Wegscheid: Dakota County; regarding a personnel system. S.F. 687-Dahl: Town of Oak Grove.

**Employment Subcommittee on Injured Workers Compensation**, Chair: A.W. "Bill" Diessner  
1:00 PM Room 112 Capitol

**Agenda:** Presentation by Ray Bohn, Commissioner of Department of Labor and Industry regarding the Injured Workers Compensation program

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** S.F. 698-Hughes: Authorizing N.E. metro intermediate school district 916 to issue bond for acquisition and betterment of secondary vocational and special education facility. S.F. 730-Freeman: Providing for education skills, employability, and community service opportunities for 18-22 year old adults.

**Finance Committee State Departments Division**, Chair: Carl W. Kroening

3:00 PM Room 125 Capitol

**Agenda:** Budget overviews of Retirement systems.

**Agriculture Committee**, Chair: Charles Davis

7:00 PM Room 112 Capitol

**Agenda:** S.F. 717-Berg: Strengthening the pesticide laws continuation.

**Tuesday, March 24, 1987**

**Education Committee Higher Education Division**, Chair: Gregory Dahl

8:00 AM Room 123 Capitol

**Agenda:** S.F. 169-Davis: Eliminating the physical education requirement for teacher education programs. S.F. 829-Reichgott: Requiring HECB to provide education and training information. S.F. 270-Solon: Requiring that income from some of the permanent university fund be used for scholarships.

**Governmental Operations Committee**, Chair: Donald Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 90-Pipeline Safety Act. S.F. 494-Gustafson: Duluth airport authority. S.F. 820-Pogemiller: Department administration bill. Meeting may continue in the evening as necessary.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** Continuation of S.F. 341-Lantry: Auto replacement parts disclosure. S.F. 772-Luther: Registration of health, buying and social referral clubs. S.F. 692-Peterson, D.C.: Lifeline banking bill.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** Confirmation of Tony Perpich for Director of Public Service. S.F. 783-Solon: Emergency telephone service identification. S.F. 144-Waldorf: Inter-LATA interchange telephone companies and services deregulation.

**Veterans Committee**, Chair: Joe Bertram

10:00 AM Room 107 Capitol

**Agenda:** S.F. 313-Bertram: Providing for free special motor vehicles license plates for POW's. S.F. 244-Langseth: Providing for a nursing care veteran's facility at Moorhead.

**Environment and Natural Resources Subcommittee on Fish and Wildlife**, Chair: Charles Berg

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 642-Wegscheid: Close certain lakes to spearing and

limits. S.F. 650-Stumpf: Cooperative management wildlife resources.

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** 737-Berglin: Board of Medical Examiners. S.F. 945-Berglin: Transfer from revenue to public health fund. Bills, (S.F. 872, S.F. 598, S.F. 787, S.F. 514, S.F. 79, S.F. 924) passing subcommittees on March 19th. Items not completed may be continued at 7:00 PM in room 15 Capitol.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 125 Capitol

**Agenda:** Budget allocations for HECB.

**Finance Committee State Departments Division**, Chair: Carl W. Kroening

3:00 PM Room 123 Capitol

**Agenda:** To be announced.

**Taxes and Tax Laws Committee Property Taxes and Local Government Aids Division**, Chair: Steven Novak

3:00 PM Room 15 Capitol

**Agenda:** S.F. 640-Johnson, D.J.: Mineral tax. S.F. 105-Moe, R.D.: Water conservation levy. Continuation of March 11th meeting.

**Agriculture Subcommittee on Agriculture Products-Processing**, Chair: Charles Berg

7:00 PM Room 125 Capitol

**Agenda:** S.F. 655-Davis: Milk marketing and price stabilization plan.

**Commerce Subcommittee on Insurance**, Chair: William Luther

7:00 PM Room 107 Capitol

**Agenda:** S.F. 478-Luther: Omnibus insurance bill.

**Education Committee Education Aids Division**, Chair: Randolph Peterson

7:00 PM Room 15 Capitol

**Agenda:** S.F. 253-Hughes: Education districts. S.F. 413-Hughes: Comprehensive health/wellness education program in elementary and secondary schools. S.F. 624-Pehler: Requiring school nurses in schools.

**Wednesday, March 25, 1987**

**Education Committee**, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** Any bills which were not heard on 3/23/87. S.F. 24-Frederick: District #763; permitting district to mail certain information instead of publishing it. S.F. 235-Pehler: Requiring schools

to develop policies on notifying parents whose children are absent from school. S.F. 196-Cohen: Permitting free instruction of non-graduates over age 21.

**General Legislation and Public Gaming Committee**, Chair: Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 922-Lessard: Regulating, licenses, etc. of horse racing. S.F. 459-Lessard: Exempting zoo board members from filing statements of economic interest. S.F. 853-Cohen: Creating a safe house program. S.F. 275-Laidig: Public cemeteries; increasing the limit on permanent care and improvement fund.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 884-Morse: Demonstration project involving production of butanol and ethanol from sweet sorghum.

**Finance Committee Agriculture, Transportation, and Semi-States Division**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Regional Transit Board, MN Safety Council, and Board of Accountancy.

**Judiciary Committee Civil Law Division**, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 577-Reichgott: corporate mergers, exchanges. S.F. 578-Reichgott: Corporate law: indemnification; voting rights. S.F. 896-Luther: Probate award of property to surviving children.

**Judiciary Committee Criminal Law Division**, Chair: Donna Peterson

10:00 PM Room 15 Capitol

**Agenda:** S.F. 706-Marty: Exposure of minors to harmful sexually explicit materials - performances. S.F. 236-Waldorf: Obscene material and performances.

**Elections and Ethics Committee**, Chair: Jerome Hughes

11:30 AM Room 107 Capitol

**Agenda:** S.F. 247-Peterson, D.C.: Fair campaign practices. S.F. xxx-Hughes: Election recounts.

**Environment and Natural Resources Subcommittee on Fish and**

**Wildlife**, Chair: Charles Berg

12:00 Noon Room 112 Capitol

**Agenda:** S.F. 635-Marty: non-game wildlife checkoff on short form. S.F. 614-Dahl: "Take a Kid Fishing Weekend".

**Health and Human Services Subcommittee on Health and Health**

**Financing**, Chair: John Brandl

1:00 PM Room 15 Capitol

**Agenda:** S.F. 810-Lantry: Requires court ordered group health insurance benefits to be paid to providers. S.F. 786-Berglin: Limits reimbursement for certain GAMC and MA providers. S.F. 887-Berglin: Clarifies in-patient hospital rates. S.F. 741-Dicklich: Department of Health Chiropractic. Items not completed may be continued at 7:00 PM in Room 15 Capitol. Public testimony will be taken. Please call 296-4837 if you wish to testify.

**Health and Human Services Subcommittee on Social Services and Government Administration**, Chair: Pat Piper

1:00 PM Room 123 Capitol

**Agenda:** S.F. 946-Berglin: Altering allocation of fiscal disallowances based on error rates. S.F. 712-Berglin: Jobs and training limits for rates of sliding fee child care. S.F. 834-Wegscheid: Mental Health assistant commissioner office; Establishing a state advisory council on mental health division of DHS. S.F. 908-Beckman: Community services conversion program. Items not completed may be continued at 7:00 PM in room 123 Capitol. Public testimony will be taken please call 296-9248 if you wish to testify.

**Commerce Subcommittee on Banking**, Chair: James Metzen

3:00 PM Room 107 Capitol

**Agenda:** S.F. 691-Peterson, D.C.: Omnibus banking bill.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 123 Capitol

**Agenda:** Operating budget allocations for AVTT's.

**Finance Committee Health and Human Services Division**, Chair:

Don Samuelson

3:00 PM Room 125 Capitol

**Agenda:** Completion of the budget overview and public testimony on the Department of Human Services budget.

**Taxes and Tax Laws Committee Income Taxes Division**, Chair:

Lawrence Pogemiller

3:00 PM Room 15 Capitol

**Agenda:** Review of Governor's corporate tax proposal. Those wishing to testify please call 296-7809.

**Pensions and Retirement Commission**, Chair: Rep. Wayne Simoneau

5:00 PM Basement Hearing Room SOB

**Agenda:** To be announced.

**Agriculture Committee**, Chair: Charles Davis

7:00 PM Room 112 Capitol

**Agenda:** S.F. 884-Morse: Continuation of morning meeting. S.F. 954-Chmielewski: Marketing and promotion of peat. S.F. 364-Davis: Agriculture Data Collection Task Force. S.F. 476-Davis: Endowed chair at U of M for sustainable agriculture program.

**Economic Development and Housing Committee**, Chair: Don Frank

7:00 PM Room 107

**Agenda:** S.F. 631-Merriam: Relating to manufactured homes;

prohibiting certain unilateral permanent physical improvement.

**Judiciary Committee Criminal Law Division**, Chair: Donna Peterson

7:30 PM Room 125 Capitol

**Agenda:** S.F. 947-Berglin: Criteria for stay of sentence for second or subsequent criminal sexual conduct conviction. S.F. 948-Berglin: Limiting admissibility of a victim's prior conduct as a defense in criminal sexual conduct cases. S.F. 1018-Peterson, D.C.: Fifth degree criminal sexual conduct. S.F. 1019-Peterson, D.C.: Clarifying the definition of "mentally incapacitated" for criminal sexual conduct. S.F. 301-Spear: Criminal sexual conduct for impersonating a health care official.

**Thursday, March 26, 1987**

**Education Committee Higher Education Division**, Chair: Gregory

Dahl

8:00 AM Room 123 Capitol

**Agenda:** S.F. 839-Pehler: adj. funding for post-secondary enrollment changes of more than 3% one year rather than two years after the change. S.F. 781-Dahl: providing quality assessment activities for post-secondary institutions.

**Governmental Operations Committee**, Chair: Donald Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 674-Moe, D.M.: Employee pay bill. S.F. 981-Moe, D.M.: Employee relations; departmental bill. Continuation of S.F. 704-Wegscheid: Administrative Procedure Act. Continuation at 7:00 PM in Room 15 if necessary.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 927-Schmitz: Medical alert identifier on driver's licenses. S.F. 637-DeCramer: Creating a state institutions town road account. S.F. 451-Peterson, D.C.: Handicapped license plates and handicapped parking certificates, establishing designated handicapped parking spaces.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 793-Dahl: New car lemon law amendments. S.F. 18-Dahl: Used car lemon bill.

**Public Utilities and Energy Committee**, Chair: Ron Dicklich

10:00 AM Room 15 Capitol

**Agenda:** S.F. 875-Marty: Energy conservation programs appropriation. S.F. 526-Peterson, D.C.: Resolution opposing hydropower generating facilities at St. Anthony Falls. S.F. 677-Dicklich: Telecommunications competitive services deregulation.

**Economic Development and Housing Committee**, Chair: Don Frank

12:00 Noon Room 15 Capitol

**Agenda:** Confirmation of appointment to MN Housing Finance Agency; Demetrius Jelatis, Bruce Bakken, James Solem. S.F. 654-Chmielewski: Creating an advisory task force to study and advise on moisture and air-quality problems in single family homes. S.F. 778-Freeman: Allowing commissioner of jobs and training to contract with service providers to deliver wage subsidies etc.

**Local and Urban Government Committee**, Chair: Robert Schmitz

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 782-Solon: St. Louis County; clerk in the unclassified civil service. S.F. 407-Wegscheid: Food licenses; vending machine inspection fees. S.F. 711-Lessard: Koochiching County; establish a bidstead development authority. Any bills not heard on March 19th will be heard on March 26th.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** S.F. 315-Berg: Allowing a school district to use a state compatible financial reporting system without going through a regional center and without state board

approval. S.F. 749-Belanger: Independent School District 271, Bloomington, authorizes excess capital outlay levies to replace deteriorating roofs. S.F. 891-Wegscheid: Excluding community education fund balances from calculations of second tier levy fund balances.

**Finance Committee Health and Human Services Division, Chair:** Don Samuelson

3:00 PM Room 123 Capitol

**Agenda:** Continuation on public testimony of the Department of Human Services budget.

**Finance Committee State Departments Division, Chair:** Carl W. Kroening

3:00 PM Room 125 Capitol

**Agenda:** Budget overview of the Attorney General's Office.

**Health and Human Services Committee Income Maintenance and Welfare Reform Division, Chair:** Marilyn Lantry

6:00 PM Room 123 Capitol

**Agenda:** S.F. 242-Berglin: Paternity Regulations. S.F. 298-Samuelson: Human Services, AFDC. S.F. 497-Vendor payments, G.A. S.F. 968-Lantry: Governor's bill.

**Judiciary Committee Privacy Division, Chair:** Richard Cohen

6:30 PM Room 125 Capitol

**Agenda:** S.F. 591-Peterson, R.W.: Mental health facility client data. S.F. 619-Lantry: Mental illness information system. S.F. 668-Peterson, R.W.: Child abuse investigation licensing data. S.F. 684-Peterson, R.W.: Miscellaneous data classification. S.F. 763-Reichgott: Child care, etc. employer access to criminal history records. S.F. 871-Merriam: Welfare investigation, licensing data; Tennesen warning. S.F. 900-Beckman: Public Safety Department review boards. S.F. 928-Merriam: Patient access to health records. S.F. 447-Frederickson, D.R.: Traffic accident birth date information. S.F. 503-Peterson, R.W.: Law enforcement access to welfare data. Don Gemberling, Dept. of Human Rights Deputy Stumpf Commissioner. Dept. of Human Services liaison, Steve Barta, Dept. of Human Services, Sue Larson.

**Agriculture Subcommittee on Agricultural Credit, Chair:** LeRoy

7:00 PM Room 112 Capitol

**Agenda:** S.F. 806-Davis: Changing the rural finance administration loan program.

**Friday, March 27, 1987**

**Education Committee Education Aids Division, Chair:** Randolph Peterson

8:00 AM Room 15 Capitol

**Agenda:** Public testimony on: S.F. 166-Peterson, R.W.: Revising,

simplifying and equalizing certain revenues for school districts. (Limit of 1 hour). Article I: Foundation and retirement revenue and summer programs.

**General Legislation and Public Gaming Committee, Chair:** Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 2-Lessard: Proposing an amendment to the Minnesota Constitution allowing the legislature to authorize certain lotteries.

**Agriculture Committee, Chair:** Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 552-Bertram: Promoting use of state agriculture products. S.F. 804-Bertram: Develop and study health care delivery systems for dairy herd. S.F. 832-Bertram: Omnibus Agriculture Department bill.

**Finance Committee Agriculture, Transportation, and Semi-States**

**Division, Chair:** Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Department of Transportation: Transportation Regulation Board, MN/Wisc. Boundry Commission.

**Finance Committee Education Division, Chair:** Gene Waldorf

10:00 AM Room 125 Capitol

**Agenda:** Continuation of operating budget allocation for AVTT's.

**Finance Committee Health and Human Services Division, Chair:** Don Samuelson

10:00 AM Room 118 Capitol

**Agenda:** Public testimony on the Department of Corrections, Department of Health, and Department of Jobs and Training budgets.

**Judiciary Committee Civil Law Division, Chair:** Tad Jude

10:00 till 1:00 PM Room 107 Capitol

**Agenda:** S.F. 855-Berglin: Public pension benefits in marriage dissolution. S.F. 882-Berglin: Delivery of possession by occupants of property condemned under eminent domain. S.F. 126-Diessner: Health care power of attorney.

**Judiciary Committee Criminal Law Division, Chair:** Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** S.F. 828-Reichgott: Modification of child abuse reporting, investigation requirements. S.F. 915-Reichgott: Making harassment on private property, stalking, and harassing phone calls or letters crimes. S.F. 421-Merriam: Attachment of bank assets of persons charged with felony wiretapping, credit card, or insurance fraud. S.F. 613-Jude: Major theft, auto theft penalty increase; victim rights extended to corporations.

**Health and Human Services Committee Income Maintenance and**

**Welfare Reform Division, Chair:** Marilyn Lantry

1:00 PM Room 15 Capitol

**Agenda:** Items not completed on March 26th will carry over.

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## The Minnesota Senate Week in Review **March 27, 1987**

### Deposit bill advances without okay

The growing problem of dumping trash within the metropolitan area came to the forefront Tuesday, March 24, when the Environmental Protection Subcommittee considered a bill attempting to cut waste generation and a measure preventing parks from being considered as potential disposal sites. The first proposal, mandating a deposit on non-refillable beverage containers, failed to gain the committee's endorsement, but was referred to the full committee for possible future action. The second measure, essentially removing the Lake Elmo Regional Park Reserve from consideration as a dump site, gained approval after members decided that Washington County must first find another site.

Sponsored by Sen. John Marty (DFL-St. Paul), S.F. 959 requires consumers to pay a deposit of 10 cents for non-refillable containers under one liter. For the larger bottles, the deposit would be 30 cents. Consumers could then return their cans and bottles to either the grocery store, other dealers or local "redemption centers" for return of the deposits. The grocery stores and dealers, who already paid the deposit before the beverage was sold, and the deposit centers would return the containers to the distributors. The distributors would refund the deposit to the dealers and pay an additional handling fee of two cents per container.

The bill, according to Tom Kalitowski, Director of the Minnesota Pollution Control Agency, is "but one very necessary step in dealing with a problem that has come to a crisis in Minnesota." That crisis, he explained, is the continued use of landfills in the metropolitan area. He added that S.F. 959 takes a major step forward in changing the way "this throw-away society deals with waste."

Opponents to the measure argued that the proposed law would cause the elimination of many high-skilled jobs without adequately addressing the solid waste problem. "We view this [bill] as a pretty anti-business piece of legislation," said Dave Locey, representing the Minnesota Soft Drink Association. Locey doubted that the plastic containers would be recycled because markets do not exist for the used materials. The bill mandates deposits, but that does not assure recycling, he added.

Washington County would have to find another potential solid waste disposal site if it wishes to eliminate the existing candidate site located in the Lake Elmo Regional Park Reserve, under another bill approved by the committee. S.F. 768, carried by Sen. Gary Laidig (IR-Stillwater), originally stated that no mixed municipal solid waste disposal facility could be located in a metropolitan regional park. Laidig explained that the Washington County Board chose that site a few years ago, and the current board would like to remove it from consideration. The proposed site is one of the candidate disposal areas being considered by the Metropolitan Council. While the council may not choose the site, Laidig said the proposed area is a poor location for a dump.

Sen. Gene Merriam (DFL-Coon Rapids) agreed that placing a dump in a regional park is "outrageous," but added that choosing any candidate site is controversial. "The bottom line is that it is outrageous that we have all these landfills," he said. Merriam's amendment requiring the board to choose another site won approval, and the panel referred the bill to the full committee.

### Senate adds penalty to seat belt law.

Drivers and passengers refusing to "buckle-up" could face a

possible fine of \$25, according to a bill granted preliminary approval by the Senate Thursday, March 26. The measure, S.F. 121, adds the fine to the state's mandatory seat belt law.

Bill author Sen. Don Frank (DFL-Spring Lake Park), said adding the penalty could save lives by adding an incentive to buckle-up. "We've come a long way since we introduced this bill, but we haven't come far enough," he said.

On a 33-30 vote, the Senate adopted an amendment excluding the violation from a person's driving record. Sen. Don Storm (IR-Edina), sponsor of the change, argued that inclusion of the violation could cause insurance premiums to rise even though the driver did not commit a moving violation.

In other action Thursday, the Senate gave preliminary approval to a bill establishing procedures for identifying potential organ donors and for determining whether family members consent to donation. The measure, H.F. 23, is sponsored by Sen. Pat Piper (DFL-Austin). Three other bills gained the Senate's preliminary approval: S.F. 420 (Peterson, D.C.) allowing peace officers hired by the Metropolitan Transit Commission to make arrests within the metropolitan area; H.F. 202 (Reichgott) modifying personal liability of corporate directors; and S.F. 324 (Cohen) including highway workers in the state's DWI and applied consent law.

### Panel approves 110-foot truck permits

A bill authorizing the Minnesota Department of Transportation (Mn/DOT) to issue permits that would allow 110-foot trucks to operate on certain Minnesota highways was approved by the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), Tuesday, March 24.

Opponents and proponents of S.F. 669, authored by Sen. Gary DeCramer (DFL-Ghent), testified before the committee debating safety issues and concerns. Wes Lane, representing the Teamsters Union, spoke in favor of the legislation noting that the three-vehicle combination would not increase accident frequencies and would indeed increase operation productivity. But Mark Swanson, a Teamster Union member and truck driver, told panel members that there are safety problems with the large trucks on the highways and that the drivers do not want to operate the vehicles because it is too dangerous. S.F. 669 was re-referred to the Finance Committee.

### Ethanol bill gains approval

The Agriculture Committee, Friday, March 20, gave approval to S.F. 729, a bill requiring that all unleaded gasoline sold in Minnesota after June 30, 1988 contain 10 percent ethanol.

Sen. Dave Frederickson (DFL-Murdock), sponsor of the measure, said the bill will benefit farmers by providing a market for corn and other crops; will benefit the environment by reducing carbon monoxide emissions; will provide the state with additional tax dollars; and save money for state highways by eliminating the gasohol consumption tax credit.

It is expected to cost \$26 million to enact the program but supporters believe it can be in place quickly and that combined state and federal subsidies equaling about \$1 per gallon for ethanol, make the program practicable.

The committee, chaired by Sen. Charles Davis (DFL-Princeton) re-referred the bill to the Transportation Committee.

# Committee Capsule

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## Agriculture

### Panel supports wild rice development

The Agricultural Resources Subcommittee, Thurs., Mar. 19, approved a bill providing for the sale and development of state land for wild rice production.

S.F. 517, authored by Sen. LeRoy Stumpf (DFL-Plummer), states that 5,000 acres of state land will be sold over a two year period to individuals intending to produce wild rice.

Stumpf said that lands presently being leased from the state by wild rice growers cannot be properly developed because of multiple DNR restrictions.

Ron Nelson, executive director, Minnesota Wild Rice Council, said the wild rice industry, currently contributing \$10 million to the economy, could blossom if growers were allowed to purchase state land for development. He said wild rice growers would be encouraged to invest in new techniques if they owned the land.

The bill was referred to the Agriculture Committee.

Subcommittee chair Gary DeCramer (DFL-Ghent) gave a brief overview of a bill he authored, S.F. 561, which recodifies language in statutes concerning Soil and Water Conservation Districts. The bill was laid over for interim study.

### Sorghum, pesticide bills okayed

The Agriculture Committee approved a measure supporting further research for producing butanol and ethanol from sweet sorghum.

Sen. Steven Morse (DFL-Dakota), author of S.F. 884, in presentations during two hearings of the measure, Wed., Mar. 25, said a \$394,000 appropriation for the project, based at Mankato Technical Institute, would determine whether sweet sorghum growing and processing is a viable alternative for Minnesota farmers. The program was started in 1985 with an initial appropriation of \$60,000 and received additional support from the state in 1986. Morse's legislation would continue the program through 1989.

The bill was re-referred to the Finance Committee.

The committee also approved S.F. 717, authored by Sen. Charles Berg (DFL-Chokio), strengthening regulations for the use of pesticides and raising pesticide applicator permit fees. The bill received two prior hearings Mar. 23.

An amendment to the bill, offered by Sen. David Frederickson (DFL-Murdock), provides that the Dept. of Agriculture, along with the Pollution Control Agency, will develop a plan for pesticide container deposits and present the plan to the legislature by June, 1988.

S.F. 717 was re-referred to the Environment and Natural Resources Committee.

A third measure, authored by Chair Charles Davis (DFL-Princeton), continuing the Agricultural Data Collection Task Force, was also approved and re-referred to Finance.

The purpose of the program, administered by the Dept. of Agriculture Statistics Division, is to collect financial information to be used by the legislature in formulating agricultural policies.

## Commerce

### Panel forwards parts disclosure bill

The Commerce Committee met Tues., Mar. 24, and approved S.F. 341 requiring disclosure of makes of automobile replacement parts.

The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul), requires that an automobile repair appraisal include a list of parts to be repaired and whether the parts are new, used, rebuilt, reconditioned or replaced.

Lantry offered an amendment to the bill, deleting a requirement that the consumer provide a written authorization that they will accept other than original manufacturer equipment parts. Committee members had been concerned that a required "sign-off" would discourage price competition.

The bill was sent to the Senate floor.

Another measure, S.F. 772, authored by Sen. William Luther (DFL-Brooklyn Park), providing registration, bonding and security requirements for health clubs was laid over for future discussion.

Sen. Sam Solon (DFL-Duluth) chairs the committee.

### Omnibus insurance, banking bills studied

The Subcommittee on Insurance met Tues., Mar. 24, and heard 15 amendments to S.F. 478, the Omnibus Insurance Bill. The amendments were laid over for further study.

The bill, authored by subcommittee chair William Luther (DFL-Brooklyn Park), clarifies, deletes or makes new provisions on a wide variety of insurance statutes.

The Subcommittee on Banking, chaired by Sen. James Metzen (DFL-South St. Paul), met Wed., Mar. 25, and heard an overview of the Omnibus Banking Bill, S.F. 691, presented by the Dept. of Commerce.

The bill, authored by Sen. Donna Peterson (DFL-Mpls.), makes technical changes in laws affecting various types of financial institutions and simplifies examination procedures for certain companies.

### Used-car buyer protection before panel

A bill extending protection to buyers of used cars came before the Commerce Committee Thurs., Mar. 26. However, the panel, chaired by Sen. Sam Solon (DFL-Duluth), delayed action on the bill to allow additional public testimony.

The proposal, S.F. 18, sponsored by Sen. Greg Dahl (DFL-Lino Lakes), subjects used cars to implied warranties of merchantability for 60 days following the date of sale. Disputes regarding the warranty and the condition of the car would be resolved in arbitration, and car dealers are required to participate. Disputes are valid for used-cars that are sold for more than \$1,000 or have travelled less than 100,000 miles. In addition, the buyer could not have driven the used car more than 6,000 miles.

The bill also requires a bond of \$100,000 to be posted by motor vehicle auctioneers. Those who would be exempted from the "used-car lemon law" include a lessor selling a car to a lessee and a business selling a vehicle to an employee.

The committee will take further action on the bill next week.

The committee did approve S.F. 793, which makes changes to the current lemon car law. One of the major changes, authored by Dahl, institutes an arbitration process to provide a low-cost alternative to resolving disputes in the courts.

## Economic Development and Housing

### Urban revitalization bill approved

The Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), advanced three bills Thurs., Mar. 19. S.F. 521, creating an urban revitalization action program for the cities of Minneapolis and St. Paul, authored by Sen. Linda Berglin, was approved by panel members and re-referred to the Tax Committee.

According to the bill, S.F. 521 would require that the program be funded in part by increasing the mortgage registry tax from 15 cents per \$100 to 23 cents per \$100. In addition, the deed tax would increase from \$2.20 per \$1,000 to \$3.30 per \$1,000. Sens. Donald Storm (IR-Edina) and John Bernhagen (IR-Hutchinson), expressed concern that the bill created for the metropolitan area would impose unprecedented tax increases on distressed farmers in rural Minnesota.

Bernhagen offered an amendment that the tax increases be limited and targeted to Hennepin and Ramsey counties only. Berglin noted that those in the metropolitan area pay taxes to assist the depressed areas in rural Minnesota. The amendment was not adopted.

H.F. 280, carried by Sen. John Marty (DFL-South St. Paul), removing a sunset date relating to the St. Paul Port Authority and requiring that the St. Paul Port Authority issue revenue bonds to finance parking facilities for the St. Paul Civic Center was approved by the committee.

A measure allowing the city of Brainerd to establish a port authority also received approval from the committee. S.F. 233, authored by Sen. Don Samuelson (DFL-Brainerd) would permit the

city of Brainerd to promote industrial development and venture capital investments providing that the Brainerd City Council approves.

S.F. 233 and H.F. 280 were re-referred to the Tax Committee.

In other action, panel members heard an overview presentation of the programs and services offered by the Community Development Corporations and Small Businesses in Minnesota organization.

### **Economic development policy issues raised**

A bill authorizing the Blue Earth County Board to levy a tax of one and one-third mill on taxable property in Blue Earth for economic development purposes raised concerns at the Economic Development and Housing Committee Mon., Mar. 23. Panel members questioned the overall statewide policy of economic development.

After reviewing provisions of the bill, Sen. Donald Storm (IR-Edina), requested that committee chair Sen. Don Frank (DFL-Spring Lake Park), ask Governor Perpich or his chief aid to meet with the committee to discuss economic development philosophy and policy standards to help members better make economic development decisions and actions. Frank indicated that he would make an informal request for comments from the governor. S.F. 697, sponsored by Sen. Dennis Frederickson (IR-Morgan), was set aside.

Also on Monday, the committee considered two other bills. S.F. 854, authored by Sen. Richard Cohen (DFL-St. Paul), allows the Department of Energy and Economic Development access to private or nonpublic employment data. The bill was approved and re-referred to the Judiciary Committee. S.F. 918, sponsored by Sen. Sam Solon (DFL-Duluth), appropriating \$4.2 million to the Duluth Seaway Port Authority to purchase two crawler cranes, was laid over for further discussion.

### **Hearings begin on mobile home parks**

The Economic Development and Housing Committee met in the evening Wed., Mar. 25, to examine a bill that would establish statewide protection for mobile home owners. S.F. 631, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires that if a manufactured home park is to be closed, the manufactured home park owner must provide an impact report to the home owners and lot renters, that the park owner must notify residents of the closing, that there be a public hearing to discuss the case, and that relocation costs be made available to the displaced residents.

Panel members heard testimony in support of the bill but will not take any action on the measure until next week when testimony against the bill is heard.

## **Education**

### **Compulsory school bill presented**

A measure that establishes new compulsory school attendance laws and modifies certain provisions of the current compulsory attendance laws was presented to the Education Committee and discussed Mon., Mar. 23, and Wed., Mar. 25. S.F. 425, authored by Sen. James Pehler (DFL-St. Cloud), requires that students who are not enrolled in a public school must take a nationally standardized examination annually to measure academic achievement and to assure adequate performance.

The bill also allows school superintendents to make annual on-site visits to unaccredited nonpublic schools, homes, or other institutions that provide educational instruction. According to Pehler, if it is found that students are not receiving instruction in compliance with the compulsory attendance laws, the superintendent may notify the county attorney of violations. If the county attorney finds that the compulsory attendance laws are indeed being violated, the instructor may stand for prosecution.

A delete everything amendment was offered by Sen. Randolph Peterson (DFL-Wyoming), stating that a "church school" is not required to employ teachers with valid licenses if student academic performance is measured annually and if the achievement is acceptable to the norm performance. If it is determined that the church school is not measuring up to standards, the school must terminate operation after one year or else employ licensed teachers.

The committee adopted the amendment but laid the bill over for further consideration.

### **Physical education study approved**

The Higher Education Subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Tues., Mar. 24, and approved two bills relating to post-secondary education. S.F. 169, authored by Sen. Charles Davis (DFL-Princeton), proposes that post-secondary institutions study the need of requiring physical education courses in the teacher education programs.

S.F. 829, carried by Sen. Ember Reichgott (DFL-New Hope), requires that the Higher Education Coordinating Board (HECB) provide information to secondary students about education opportunities beyond high school, financial assistance, and expected academic standards.

A bill allocating \$15 million in scholarship money from the Permanent University Fund to be distributed by the Board of Regents for students at the University of Minnesota at Duluth, Waseca and Crookston was also presented to the subcommittee. S.F. 270, authored by Sen. Sam Solon (DFL-Duluth), which was laid over for further consideration, requires that the money shall be distributed among campuses according to the ratio of full-time students enrolled at each campus.

The Higher Education Subcommittee met again on Thurs., Mar. 26, and advanced S.F. 839 to the full Education Committee. The bill, authored by Sen. James Pehler (DFL-St. Cloud), provides that if post-secondary enrollment figures change from one year to the next by three percent or more, the Average Cost Funding Task Force may make recommendations to modify formula calculations in the following year of enrollment increase or decrease, for the purpose of correcting funding delays.

Another measure, S.F. 781, authored by Dahl, was presented to the subcommittee and laid over for further consideration. The bill requires that each post-secondary institution establish a Task Force on Quality in Post-Secondary Education and must develop a quality assessment program during the 1989-1990 school year.

### **Panel discusses library funding amendment**

Proposed Article IX of the Education Aids bill, relating to funding for public libraries, was discussed at the Senate and House Subcommittee on Libraries meeting, chaired by Sen. Donna Peterson (DFL-Mpls.), Tues., Mar. 24.

An amendment, offered by Sen. James Pehler (DFL-St. Cloud), and adopted by the committee, makes available \$203,600 in FY 1988 for the Multi-County, Multi-Type Library Systems Program and \$206,000 in FY 1989.

Another amendment to the Omnibus Education Aids bill allocates \$217,400 for an online computer-based library catalog system in the state agency libraries in FY 1988 and \$217,400 in FY 1989.

## **Education Aids**

### **Public speaks on arts planning programs**

The Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Fri., Mar. 20, to hear public testimony on the Comprehensive Arts Planning Program (CAPP), the Tobacco Use Prevention Program, and the Community Education Program.

Elizabeth Childs of the Minnesota State Arts Board, Artists in Education Program, told division members that the CAPP program is cost effective and has been very effective in improving the quality of arts education.

Among those testifying for tobacco use prevention was Gretchen Griffin from the Department of Education. Griffin reported that the first year of tobacco prevention programming attracted 75 percent of the Minnesota school districts, in the second year 93 percent. In addition, Griffin said that 770 school staff have participated in the tobacco use prevention program. "I have seen a dramatic change in the last 14 months," said Griffin, "but we need monetary assistance. And if the program succeeds, the savings will certainly exceed the costs."

The final presentation on community education was given by Department of Education liaison Lois Engstrom and Minnesota Community Education Association representative John Jensen.

### **Bond issuance bill advances**

A bill that would permit Northeast Metro Intermediate School District 916 to issue bonds for the purpose of improving secondary vocational and special education facilities in the district was

# Committee Capsule

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approved by the Education Aids Division Mon., Mar. 23.

S.F. 698, sponsored by Sen. Jerome Hughes (DFL-Maplewood), requires that bond issuances would have to be approved by voters of the district and by the State Board of Education before enacted. According to Tom Deans, Legal Counsel for School Boards Association, the cost of the project may not exceed \$1.6 million. S.F. 698 was advanced to the full Education Committee.

In other action, the division laid over a bill that would appropriate \$5 million for the Minnesota Youth Service Program (MYS). The purpose of S.F. 730, said bill author Sen. Michael Freeman (DFL-Richfield), is to provide 18 to 22 year olds with education and employment opportunities, as well as the opportunity to fulfill social and environmental public service needs.

## Panel considers school nurse bill

Members of the Education Aids Division met in the evening Tues., Mar. 24, to discuss a bill that would require the Board of Education to employ at least one full-time licensed school nurse for each 750 students in a school building. S.F. 624, carried by Sen. James Pehler (DFL-St. Cloud), also requires that in circumstances where the schools have less than 750 students, a half-time school nurse is to be provided.

Also on Tuesday, the subcommittee considered a plan that would establish a comprehensive health and wellness education program in the elementary and secondary public schools. S.F. 413, authored by Sen. Jerome Hughes (DFL-Maplewood), is intended to assist school districts develop comprehensive policies and programs to promote awareness of health and wellness to students and staff.

In addition, panel members considered S.F. 253, also sponsored by Hughes. The measure would allow school districts to form education districts for the purpose of improving educational opportunities through cooperation and coordination among school districts.

The three bills considered were laid over for further discussion.

## Elections and Ethics

### Automatic recount bill examined

A measure providing for automatic recounts for United States congressional primaries and elections was presented to the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), Wed., Mar. 25. S.F. 1109, authored by Hughes, requires that an automatic recount be conducted if there is a difference of 1,000 votes or less between U.S. House of Representative candidates during an election count and a difference of 5,000 or less between U.S. Senate candidates.

Testimony in support of the legislation was heard from former state Senator Collin Peterson and Secretary of State Joan Growe. The bill was laid over for further discussion.

In other action, the committee began hearings on S.F. 247, a bill requiring and clarifying fair campaign practices. The measure, authored by Sen. Donna Peterson (DFL-Mpls.), recodifies certain sections of the Fair Campaign Practices Act and adds a substantial number of changes such as campaign practice penalties, requiring that campaign literature include a disclaimer, and prohibiting that corporations from making contributions for the purpose of promoting or defeating a candidate.

## Employment

### Workers' comp delivery studied

Department of Labor and Industry Commissioner Ray Bohn gave the Injured Workers' Compensation Subcommittee a preview of the department's initiatives for improving the workers' compensation delivery process during the Mon., Mar. 23 meeting.

Bohn said the plan calls for streamlining and reducing the cost of getting benefits to the injured workers, and that it includes steps to eliminate the triple-track litigation system and subsequent delays. Fifty percent of the administrative changes needed to improve the delivery process require changes in the statutes, he said.

Sen. A.W. "Bill" Diessner (DFL-Afton), subcommittee chair, and Nancy Brataas (IR-Rochester), were both concerned that the

benefits issue of workers' compensation are not being addressed this session. "We should seriously consider tagging some sort of [benefits] amendment to the process bill," Diessner said.

### Dislocated worker bill approved

A bill requiring that companies pay severance pay and insurance coverage to employees terminated as the result of a plant closing was approved Tues., Mar. 24, by the Employment Committee.

The bill, S.F. 892, authored by chair Florian Chmielewski (DFL-Sturgeon Lake), applies only to companies with over one hundred employees laying off at least fifty percent of the workforce. The bill also provides that the employers are required to notify workers, unions, communities and the Dept. of Jobs and Training as soon as feasible of an impending shut down.

Chmielewski added an amendment to the measure extending provisions of the bill to workers terminated from the Conwed plant in Cloquet in 1985 following a corporate takeover. Four hundred workers lost their jobs and most of their benefits following the takeover.

The committee approved three other measures which were also sent to the General Orders calendar. S.F. 736, authored by Sen. Carl Kroening (DFL-Mpls.), enforces regulations regarding high pressure pipes and pipefitting. S.F. 1074, sponsored by Sen. Pat Piper (DFL-Austin) clarifies language of the Occupational Safety and Health Act, and S.F. 1015, authored by Sen. Marilyn Lantry (DFL-St. Paul), clarifies language in statutes regulating boilers and boiler operators.

### Wage protection gains

The Employment Committee, Thurs., Mar. 26, approved a wage protection bill, S.F. 1093, creating a fund to pay employees wages due following a firm's insolvency or bankruptcy.

Chair Florian Chmielewski, author of the bill, said the legislation is the result of a lock-out last year of 600 workers at a Silver Bay mining company. The workers were not compensated for money due in wages, Chmielewski said.

The bill calls for a \$200,000 general fund appropriation to establish the wage protection fund.

The measure was opposed by Senators Carl Kroening (DFL-Mpls.) and Nancy Brataas (IR-Rochester) who commented that the measure may encourage some employers to act irresponsibly.

The bill was re-referred to the Finance Committee.

The committee also approved and sent to the Senate floor S.F. 701, authored by Sen. Darril Wegscheid (DFL-Apple Valley) preventing an employer from firing an employee for reporting violations committed by the employer. S.F. 916, authored by Sen. William Belanger (DFL-Bloomington), providing for partial disability for certain losses was approved and sent to the General Orders calendar and S.F. 1110, authored by Sen. Pat Piper (DFL-Austin), establishing remuneration rates for mediators working with the Bureau of Mediation Services was approved and sent to the Senate floor.

## Environment and Natural Resources

### Bill grants PCA power to penalize

The Pollution Control Agency could penalize persons improperly managing hazardous waste, according to a bill approved Fri., Mar. 20, by the Environmental Protection Subcommittee. The legislation, sponsored by Sen. John Marty (DFL-St. Paul), allows the agency to fine the violators up to \$10,000 if corrective action is not taken.

Upon discovery of a violation, the agency would issue an order requiring the problem to be corrected and set an appropriate penalty. The penalty would be forgiven if, within 30 days, the violator demonstrates that the problem is corrected or that remedial action is underway. The panel adopted an amendment, offered by Sen. Gene Merriam (DFL-Coon Rapids), allowing the agency to fine second offenders up to \$25,000.

PCA spokesman Mike Robertson said the bill, S.F. 388, would provide the agency the necessary tools to deal with minor violations. The bill was referred to the full committee.

The subcommittee, chaired by Sen. Greg Dahl (DFL-St. Paul), also approved a bill creating a program to curb the growth of the

weed Purple Loosetrife. The measure, S.F. 934, was sent to the full committee.

In other action Friday, the Public Lands and Waters Subcommittee, chaired by Sen. Steven Novak (DFL-New Brighton), defeated a bill creating a Board of Regents for the Dept. of Natural Resources. The proposal, S.F. 535, will be studied during the interim. The subcommittee Friday approved the following bills: S.F. 626 (DeCramer) creating a program for native prairie land; S.F. 405 (Benson) adding Mystery Cave in Spring Valley, Minnesota, to the Forestville State Park; S.F. 423 (Stumpf) appropriating funds for the Red River Dike; and S.F. 481 (Stumpf) making changes to the state park waysides.

### **Fish raising proposal to full committee**

The Fish and Wildlife Subcommittee Wed., Mar. 25, approved the bill establishing a commercial fish raising program in Minnesota. The measure, S.F. 69, will next be reviewed by the full committee, where bill author Sen. Charles Berg (DFL-Chokio) plans to offer an amendment to end the controversy concerning the raising of tilapia.

The version of the bill that won committee approval requires the Dept. of Natural Resources to establish a program for the commercial raising of fish. Commercial fish are defined as tilapia, crappies, largemouth bass, perch, trout, and walleyes. The department is concerned that tilapia would eventually work its way into the state's streams and lakes if raised here, even though the bill requires the fish to be raised in enclosed tanks located away from water. To address the department's concerns about tilapia, Berg said he will put before the full committee an amendment tightening procedures regulating how the fish may be raised and handled.

In other action Wednesday, the subcommittee approved a bill requiring the nongame wildlife checkoff to be on the income tax short forms. The proposal, S.F. 535, is sponsored by Sen. John Marty (DFL-St. Paul). And, the subcommittee sent to the full committee without recommendation a bill creating a cooperative management wildlife resources program. Sponsored by Sen. LeRoy Stumpf (DFL-Plummer), the bill, S.F. 650, would allow the Dept. of Natural Resources to use \$2 million from the game and fish fund for the resource improvement efforts.

### **Wild animal permit measure advances**

A person possessing a wild animal would need to pay a \$50 annual permit fee and charges for inspection, under a bill gaining the Environment and Natural Resources Committee's approval Wed., Mar. 25. The fees would help the Dept. of Natural Resources check the animals and the areas where they are kept to assure that they are properly restrained.

S.F. 207, sponsored by Sen. Greg Dahl (DFL-Lino Lakes), is intended to protect humans, animals and the environment. The bill requires the department to prescribe conditions in the permit for the keeping of non-domesticated wild animals to assure safety. However, the permit does not exempt the owner's liability of the wild animal. Those exempted from the permit requirement include zoos and research institutions.

The bill was re-referred to the Finance Committee.

Persons would be able to buy at reduced rates another vehicle state park permit for their second car, according to another measure okayed by the committee and sent to the Senate floor. The bill, S.F. 450, carried by Sen. James Pehler (DFL-St. Cloud), allows the second annual vehicle permit to be purchased for \$7.50, which is half the cost of the annual fee. The bill also allows Wisconsin residents displaying Wisconsin state park permits to enter Minnesota's Interstate Park at Taylors Falls without a Minnesota permit. The provision would be enacted if the Wisconsin Legislature adopts a reciprocal agreement, which would allow Minnesota residents displaying their state permit to enter the Wisconsin park at Taylors Falls.

Two other bills were placed on the Senate Consent Calendar Wednesday: H.F. 348 (Johnson, D.J.) permits sale of land in Cook County to Barney Peet; and H.F. 11 (Johnson, D.J.) selling land in St. Louis County to Fred Schmiege.

### **Subcommittee okayes petroleum clean-up aid**

The Environmental Protection Subcommittee, chaired by Sen. Greg Dahl (DFL-Lino Lakes), advanced a bill Tues., Mar. 24,

establishing a fund to help reimburse persons cleaning up petroleum spills that resulted from leaky tanks. The measure, S.F. 536, would require distributors of petroleum to pay a fee of \$10 for every 1,000 gallons of gasoline provided. The money would be placed in the fund.

Under the program, proposed by Sen. Steven Novak (DFL-New Brighton), the fund, administered by a newly-created board, would reimburse the owner 75 percent of occurred expenses that exceed \$10,000 and fall below \$100,000.

Also Tuesday, the subcommittee approved S.F. 867, sponsored by Sen. Gerald Willet (DFL-Park Rapids). The measure establishes procedures to strengthen the Pollution Control Agency's effort in curtailing nonpoint source water pollution.

## **Finance**

### **Bill combines AVTT's, community colleges**

The Senate and House of Representatives' higher education finance and policy divisions held a joint hearing Fri., Mar. 20, to study a proposal merging the state's AVTT's and community colleges. The bills, offered both in the Senate and the House, would place the governance of the post-secondary systems under one board.

Sen. Gene Waldorf (DFL-St. Paul), sponsor of the Senate measure, said the intent of the proposal is to allow students enrolled in either an AVTT or a community college to take both educational and vocational courses under one system. Since many professional prerequisites include completion of both types of courses, students would avoid the present inconvenience of enrolling in two different schools, Waldorf explained. "Why should academic and occupational courses be separate?" he asked the committee members.

Both the Senate and House proposals will be considered in the respective policy committees before any action is taken.

### **Divisions continue budget work**

The four divisions of the Finance Committee continued working on preparing the Senate's budget proposal for the 1988-89 biennium. This week, the Division on Education began appropriations for the Higher Education Coordinating Board and the AVTT's operating budget. The other divisions—Health and Human Services, State Departments, and Agriculture, Transportation and Semi-State Agencies—reviewed the various budget requests from state agencies.

## **General Legislation and Public Gaming**

### **Measure creates children safe houses**

The "McGruff" symbol displayed by a homeowner would notify children that they may seek safety in that home when being threatened, according to a plan okayed by the committee Wed., Mar. 25. The measure, S.F. 853, grants local law enforcement agencies the authority to issue the signs to persons who have passed a background check.

Under the bill, S.F. 853, sponsored by Sen. Richard Cohen (DFL-St. Paul), the local law enforcement agencies would be responsible for investigating the background of persons applying for the symbol. The symbol remains the property of the enforcement agencies, and it may be revoked if the homeowner no longer qualifies as a "McGruff" house. Those participating in the program must display the symbol so that it is visible from the house. In addition, the Dept. of Public Safety would maintain a register of homes involved in the program.

The bill was referred to the Senate floor.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l Falls), also advanced a bill strengthening horse racing regulations. The proposal, S.F. 922, assures that no horse may partake in a race if under medication regardless when the drug was administered.

The bill also raises the maximum fines and suspensions that may be assessed by the stewards from \$500 to \$2,000 and 30 days to 120 days. According to the Minnesota Racing Commission, the proposal will enable them to provide adequate punishment for the more serious racing violator.

Two other bills gained committee approval Wednesday: S.F. 459 (Lessard) exempting zoo board members from filing statements of economic interest; and H.F. 364 (Laidig) increasing the limit from

# Committee Capsule

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\$15,000 to \$25,000 per acre for the care and improvements of public cemeteries. S.F. 459 was referred to the Elections and Ethics Committee, and H.F. 364 was placed on the Senate Consent Calendar.

## Governmental Operations

### Pipeline Safety bill advances

Members of the Governmental Operations Committee became the fifth panel to endorse S.F. 90, the Pipeline Safety Act, Tues., Mar. 24, when the committee approved the measure and re-referred the bill to the Committee on Finance. The measure, authored by Sen. Steven Novak (DFL-New Brighton), was referred to the Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), because of provisions the establishing the Office of Pipeline Safety within the Department of Public Safety to maintain a data base on pipeline releases, coordinate emergency responses, act as a repository for information about the location of pipeline routes and aid local governments in the development of emergency response procedures. The bill also creates a Pipeline Safety Advisory Commission to advise the director and other appropriate federal, state, and local government agencies and officials on matters relating to pipeline safety and operation.

Committee members also approved a Department of Administration "housekeeping" bill, S.F. 820. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.) makes a number of changes in the statutes governing the department including: moving the Office on Volunteer Services from the governor's office to the commissioner of administration and providing that the director may charge a fee for services to state agencies, political subdivisions, private and nonprofit organizations and individuals; providing for the publication of the Guidebook to State Agency Services be published every four years rather than every two years; providing that the administrative costs of auctions of state property be paid from the proceeds of the auction; providing that the principles of life cycle costing may be used to determine lowest responsible bid for purchases; providing that the commissioner may offer a centralized travel service to state departments and agencies; and providing for the creation and operation of a productivity loan fund as a special account in the treasury to finance loans for projects that will result in either reduced operating costs or increased revenues or both in a state agency. The bill was re-referred to the Committee on Finance.

Committee members also discussed, but took no action on, a measure clarifying that Duluth Airport Authority employees hired after June 20, 1969, were not covered by any civil service system. The measure, S.F. 494, is authored by Sen. Jim Gustafson (IR-Duluth).

### APA bill approved

Members of the committee took final action on a bill making changes to the Administrative Procedure Act at the Thurs., Mar. 27, meeting. The measure, S.F. 704, authored by Sen. Darril Wegscheid (DFL-Apple Valley), resolves some of the problems that had surfaced during extensive subcommittee work on the Administrative Procedure Act earlier in the session. An amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), deleted two sections of the bill that would have provided the Department of Human Services with a procedure to adopt rules in response to federal directives. In addition, an amendment offered by Wegscheid reinstates the authority of the Legislative Commission to Review Administrative Rules to suspend rules in certain circumstances.

In other action, the committee approved a Department of Employee Relations housekeeping bill. S.F. 981, sponsored by Sen. Don Moe (DFL-St. Paul), makes changes in the affirmative action, the regulation of the job eligibility lists, and other personnel practices. In addition, the bill allows the department to establish a program of preventive health, along with the Department of Health, and provides for the use of data classified as private or confidential. The bill also provides for the waiver of statutes and rules for experimental or research projects designed to improve recruitment, and appointment processes for classified positions.

Committee members also approved a measure clarifying that the

employees of the Duluth Airport Authority are not covered by civil service. The measure, S.F. 494, authored by Sen. Jim Gustafson (IR-Duluth), was amended to take into account a law suit concerning one employee that is pending.

## Health and Human Services

### Ombudsman for Older Minnesotans okayed

Two Health and Human Services Subcommittees met during the evening hours Thurs., Mar. 19. The Social Services and Government Administration Subcommittee, chaired by Sen. Pat Piper (DFL-Austin), advanced three measures to the full committee. S.F. 924, authored by Sen. Michael Freeman (DFL-Richfield), establishes the office of ombudsman for older Minnesotans under the State Board on Aging. Under the bill, the ombudsman's role would be to gather information and evaluate any policy, procedure or administrative action of a long-term care facility, acute care facility or government agency that may adversely affect the health, safety, welfare or rights of any client. In addition, the ombudsman would act as an advocate on behalf of older Minnesotans.

S.F. 79, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), revises and updates language in Minnesota statutes regarding podiatrist licensure. The measure clarifies laws governing podiatrist and brings those laws more into conformance with other medical licensing statutes.

S.F. 788, sponsored by Sen. Linda Berglin (DFL-Mpls.), makes a number of technical changes in the laws relating to the chemical dependency consolidated fund. Subcommittee members failed to endorse a measure, S.F. 514, sponsored by Berglin, that would establish an office of ombudsman for the mentally ill.

Members of the Subcommittee on Health and Health Financing devoted most of their hearing to taking testimony on a bill making changes in laws relating to medical assistance payments for therapies provided to nursing home residents. The bill, S.F. 872, sponsored by subcommittee chair Sen. John Brandl (DFL-Mpls.), permits sanctions for unnecessary services and provides for monitoring therapy costs. No action was taken on the measure.

Subcommittee members did endorse two measures and referred them to the full committee. S.F. 598, authored by Berglin, extends the moratorium on hospital capacity expansion through June 30, 1990. S.F. 787, also carried by Berglin, makes changes in the eligibility requirements for receiving medical assistance and general assistance medical care, provides for the recovery of benefits paid after the death of the recipient and provides for services to pregnant women.

### Bill for hearing impaired services gains

The full Health and Human Services Committee met Fri., Mar. 20, and advanced three bills to the Finance Committee. S.F. 735, authored by Sen. Betty Adkins (DFL-St. Michael), makes several housekeeping changes to the 1980 Hearing Impaired Services Act. The measure is designed to streamline the delivery of services to the hearing impaired said Adkins. To that end, the measure requires regional service centers to assist the central interpreter referral agency with local and regional interpreter referrals and to implement a plan to provide loan equipment and resource materials to hearing impaired persons. In addition, the bill requires that at least 50 percent of the members of each regional service center advisory committee be hearing impaired. The measure also sets forth the membership and duties of the Minnesota Council for the Hearing Impaired.

Panel members also approved, and referred to Finance Committee, a bill authorizing the commissioner of human services to establish a study committee on problems of elderly persons with mental retardation or related conditions. The bill, S.F. 408, is authored by Sen. Marilyn Lantry (DFL-St. Paul). The final bill gaining committee endorsement was S.F. 788, authored by Sen. Linda Berglin (DFL-Mpls.). The bill makes a number of technical changes in the consolidated chemical dependency fund.

### Podiatrist licensure update bill gains

Tuesday, Mar. 24, members of the full Health and Human Services

Committee met to act on several of the measures that had been approved in subcommittee Thurs., Mar. 19. The panel, chaired by Sen. Linda Berglin (DFL-Mpls.) acted upon four subcommittee reports and one additional bill. S.F. 79 (Pogemiller) updates and revises the statute relating to the licensure of podiatrist. S.F. 924 (Freeman) provides for the creation of the office of Ombudsman for Older Minnesotans. S.F. 598 (Berglin) extends the date, through June 30, 1990, of the moratorium on hospital capacity expansion. S.F. 787 (Berglin) provides for the eligibility requirements for receiving medical assistance and general assistance medical care and provides for services to pregnant women. S.F. 924 was referred to the Committee on Finance and S.F. 787 was re-referred to the Judiciary Committee. Both S.F. 598 and S.F. 79 were sent directly to the Senate floor.

The committee also approved a bill requiring the Board of Medical Examiners to release information to a person who makes a complaint, about the results of the investigation of that complaint. S.F. 737 is also sponsored by Berglin.

### **Mental health advisory council bill okayed**

Two health and human services subcommittees met Wed., Mar. 25. The Social Services and Government Administration Subcommittee, chaired by Sen. Pat Piper (DFL-Austin), advanced four bills to the full committee and revived a measure that had failed to gain the panel's endorsement. S.F. 834, authored by Sen. Darril Wegscheid (DFL-Apple Valley), establishes the office of assistant commissioner of mental health, establishes a state advisory council on mental health and creates a mental health division within the Department of Human Services. The measure arises from several of the recommendations of the Governor's Task Force on Mental Health.

S.F. 946, authored by Sen. Linda Berglin (DFL-Mpls.), alters the allocation of federal fiscal disallowances based on error rates for AFDC, medical assistance and the food stamp program. The bill specifies that one-half of the total amount of the disallowance shall be borne by the county responsible for administering the programs and shall be shared by each county in the same proportion as the benefits issued by each county for the sanctioned program are to the total of all benefits issued by all counties for that program.

S.F. 712, also sponsored by Berglin, provides that a county board may subsidize rates for the child care sliding fee program up to 125 percent of the median rate for like day care arrangements for day care providers that pay wages for teachers, assistants, and aides that are more than 110 percent of the state average wages for child care workers. In other cases the maximum rate is 110 percent of the median rate for like care arrangements in the county.

S.F. 908, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes a community services conversion project to provide for the closure of community intermediate care facilities for persons with mental retardation or related conditions and the relocation of those persons to home and community based services.

Finally, subcommittee members voted to reconsider the vote by which S.F. 514, the mental health ombudsman bill, failed to gain approval. The measure, sponsored by Berglin, was then amended and laid over for further action.

The second subcommittee, the Subcommittee on Health and Health Financing advanced two bills to the full committee. S.F. 810, authored by Sen. Marilyn Lantry (DFL-St. Paul), makes changes in the laws requiring the Benefit Recovery Section of the Department of Human Services to recover third party resources in the Medical Assistance program by implementing a cost avoidance system rather than a "pay and chase" system. During the debate on the measure, controversy arose over provisions relating to workers compensation awards. Those provisions were subsequently removed from the bill. S.F. 786, authored by Berglin, limits reimbursement for certain general assistance medical care providers and medical assistance providers, provides for the phase out of the rateable reductions in the general assistance medical care program under certain conditions and clarifies the grievance procedures for recipients and vendors.

## **Judiciary**

### **DWI testing bill approved**

Members of the Criminal Law Division met Fri., Mar. 20, and

approved a bill authorizing peace officers to require a urine or blood test for controlled substances after a breath test has been administered. Currently, the wording of the statute authorizes the peace officer to require a urine test only if the officer has probable cause to believe the driver is under the influence of a substance that is not detectable by breath or blood tests. According to Bureau of Criminal Apprehension officials nearly all substances are detectable by blood tests, but the wording of the statute makes it difficult for the officer to require a urine test. The urine tests, however, are quicker to screen and just as reliable the official said. The measure, S.F. 690, is sponsored by Sen. Ember Reichgott (DFL-New Hope).

In other action, the division, chaired by Sen. Donna Peterson (DFL-Mpls.), also approved a measure restricting the husband-wife privilege in court testimony in cases applicable to crimes committed against children. S.F. 764, sponsored by Reichgott, provides that spouses may testify against one another for a crime committed against a child under the care of either spouse. A bill, S.F. 611, allowing the BCA to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequencies was also approved by the Division. The measure is sponsored by Sen. Earl Renneke (IR-LeSueur).

Members of the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove), also met Fri., Mar. 20, and advanced two bills dealing with liens and a measure relating to marriage dissolution to the full committee. Much of the hearing was devoted to discussion of a bill creating a lien against real property for expenses incurred by agencies or political subdivisions for cleaning up releases of substances. The measure, S.F. 412, sponsored by Sen. William Luther (DFL-Brooklyn Park), establishes a procedure under which a lien may be created against real property when the Pollution Control Agency takes remedial action to protect the public health, safety, or the environment, from a release of a substance into the environment.

The second measure, S.F. 189, authored by Jude, provides for the determination of when the beginning of an improvement takes place for purposes of determining the priority of mechanics' liens.

The third bill, S.F. 462, provides a date for valuing marital assets and provides for the partial distribution of marital asset. The measure specifies that the day the petition for dissolution or annulment is filed is the date to use for the valuation of assets. In addition, if one spouse controls substantial assets, the court may provide for partial distribution if the court finds good cause or upon the request of both parties.

### **Property crimes bill debated**

The full Judiciary Committee met Mon., Mar. 23, and devoted much of the meeting to discussion and amendment of a bill dealing with penalties for property crimes. The measure, S.F. 286, authored by committee chair Allan Spear (DFL-Mpls.), makes changes in lesser property crimes classifications in order to allow more county resources to be brought to bear in the prosecution of crimes against persons. "The bill does this," said Spear, "by allowing for more property crimes to be classified as petty misdemeanors and by instituting the classification of gross misdemeanor as an intermediate step between misdemeanor and felony theft." Under the bill, prosecuting attorneys would be able to certify a misdemeanor as a petty misdemeanor without the defendant's consent. In addition, the measure sets penalties for gross misdemeanor theft, increases the fine for petty misdemeanors from \$100 to \$200 except for traffic violations and violations of having a "small amount" of marijuana, brings the crime of check forgery into the theft statutes, parallels the crime of credit crime fraud with that of theft, and provides for the enhancement of misdemeanor assault to gross misdemeanor assault for repeat offenders.

Several amendments were adopted, however the committee was not able to take final action on the bill because of time constraints. Among the amendments adopted were provisions changing the ceiling for misdemeanor theft from \$750 to \$500 and increasing the fine for driving offenses originally charged as a misdemeanor but treated as petty misdemeanors. Two amendments offered by Sen. Richard Cohen (DFL-St. Paul) were also adopted. The first provides that certain DWI, fifth degree assault, prostitution and indecent exposure offenses cannot be certified as petty misdemeanors unless

# Committee Capsule

the defendant consents to the certification. The second provides that a conviction for a violation that was originally charged as a misdemeanor and was treated as a petty misdemeanor cannot be used as a basis for enhancement of a subsequent violation as a gross misdemeanor.

In other action, the panel approved a bill establishing a standard for the disclosure of the name of a reporter under the child abuse reporting act. S.F. 424, authored by Sen. Linda Berglin (DFL-Mpls.) provides that the subject of a report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith.

## Obscenity bills gain

Two bills dealing with obscenity provided the focus of debate for members of the Criminal Law Division, at the Wed., Mar. 25, morning meeting. The first measure, S.F. 706, prohibits the exhibition of live obscene performances to minors. The measure, authored by Sen. John Marty (DFL-Roseville), changes current law by adding the words "plays, dances, or other exhibitions presented before an audience" to the list of materials already prohibited from being exhibited to minors and prohibits the admission of a minor to an obscene exhibition even if the minor does not pay for admission.

The second bill, S.F. 236, changes the definition of "obscene" in the provisions of the statute prohibiting distribution of obscene materials by eliminating the words "average person" in the standard that the obscene material appeal to the prurient interest in sex of the average person and adds the words "depicts or describes in a patently offensive manner" to the definition. In addition, videotapes and scripts and live performances are added to the definition of material and performance that may be vehicles for depicting obscene material. The measure, sponsored by Sen. Gene Waldorf (DFL-St. Paul), also makes violation of the statute a criminal, rather than a civil, offense and prescribes a penalty of up to 30 days imprisonment or a \$10,000 fine, or both, for a first offense and up to 60 days imprisonment or a fine of \$20,000, or both, for a second offense within five years. Finally, the bill specifies that is a crime if a person "knowing or with reason to know its content and character" distributes obscene material.

Members of the Civil Law Division also met Wed., Mar. 25, and advanced one measure to the full committee. S.F. 578, regulating the organization and operation of business corporations dominated the debate in the division. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), contains numerous provisions including provisions relating to indemnification, voting rights, the value, issuance, pledging and acquisition of shares.

## Criminal sexual conduct bills gain

Five bills arising out of recommendations made by the Sexual Assault Task Force, sponsored by the Hennepin County Attorney's Office, gained the approval of the Criminal Law Division at an evening hearing Wed., Mar. 26.

S.F. 301, authored by Sen. Allan Spear (DFL-Mpls.), creates the crime of criminal sexual conduct by impersonating a health care professional. The bill is necessary because in cases where this sort of conduct occurs, the victim has not been coerced or forced into submission, Spear explained, thus making prosecution difficult. A second bill, S.F. 947, authored by Sen. Linda Berglin (DFL-Mpls.), clarifies the circumstances in which the court may stay execution of sentence following conviction for a second or subsequent criminal sexual conduct offense. Under the bill, the court may stay the execution of the sentence imposed under this section only if it finds that a professional assessment indicates the offender is accepted by and can respond to treatment at the intensive treatment program for sexual aggressives at the Minnesota security hospital or another long term treatment program. S.F. 948, also sponsored by Berglin, permits evidence showing a tendency to fabricate allegations of sexual assault when consent by the complainant is the defense in the case. In addition, the bill requires three days notice of intent to introduce evidence of a victim's prior sexual conduct in criminal sexual conduct proceedings.

Two bills authored by Sen. Donna Peterson (DFL-Mpls.) generated debate among division members. The first, S.F. 1018, creates the new crime of criminal sexual conduct in the fifth degree. Under the bill, the crime would consist of nonconsensual sexual contact. Currently, criminal sexual conduct in the fourth degree requires force or coercion to be used in the sexual contact. Originally, the bill provided that the penalty for fifth degree sexual conduct would be a felony penalty. However, division members felt that a felony penalty was too stiff and amended the bill to include a gross misdemeanor penalty. The second measure, S.F. 1019, alters the definition of mentally incapacitated to specify that mentally incapacitated means that a person under the influence of alcohol, a narcotic, anesthetic, or any other substance administered to that person without the person's agreement, lacks the judgment to give a reasoned consent to sexual contact or sexual penetration. The bill also attempts to clarify the law for the benefit of a jury's consideration by eliminating a requirement that sexual contact must be for the "purpose of satisfying the actor's sexual or aggressive impulses" and substituting the requirement that the contact be "committed with sexual or aggressive intent. Finally, the measure alters the definition of coercion to specify that proof of coercion does not require proof of a specific act or threat.

## Local and Urban Government Ramsey County charter plan advances

The Local and Urban Government Committee, Thurs., Mar. 19, approved S.F. 557, authored by Sen. Marilyn Lantry (DFL-St. Paul). The bill allows Ramsey County legislators to appoint a charter commission and gives the county the option of home rule.

The bill states that the charter commission shall, by Dec. 31, 1988, make a report to the county board determining that the present form of government is adequate or shall present a proposed charter providing for any form of government consistent with the Minnesota constitution. If a charter is drafted, it must be approved by Ramsey County voters in the 1988 general election. If approved, the charter would take effect two years after the election.

Sen. Robert Schmitz (DFL-Jordan), chair of the committee, noted that ten percent of the counties in the United States presently operate under home rule and that such status appears to be most appropriate in densely populated counties.

The bill was sent to the Senate floor.

Two other bills were approved by the committee and re-referred to the Taxes and Tax Laws Committee. S.F. 565, authored by Sen. Gregory Dahl (DFL-Coon Rapids) raises the levy limit of the Metropolitan Mosquito Control Commission from six-tenths of a mill to .95 mill, and S.F. 490, authored by Sen. A.W. "Bill" Diessner (DFL-Afton) authorizes the Washington County Board to issue general obligation bonds for capital improvements without a referendum on the bond issuance. The bill contains a provision for a reverse referendum procedure on the levy increase.

A fourth bill, S.F. 702, authored by Sen. Darril Wegscheid (DFL-Apple Valley), requiring the Metropolitan Waste Control Commission to establish separate accounts for all local units of government that pay for inflow of water infiltration, was laid over for further study.

## MWCC rate system change okayed

Three bills were approved and routed to the General Orders calendar by the Local and Urban Government Committee, Mon., Mar. 27.

Sen. Darril Wegscheid (DFL-Apple Valley), presented Sen. Steven Novak's (DFL-New Brighton) bill, S.F. 348, which provides a means to equalize payments among sewer service users. The bill had been proposed by the Metropolitan Waste Control Commission last year and was unanimously approved by the Senate but that it had become "bogged down" in the House, Wegscheid said. The bill contains a provision that the MWCC keep a contingency fund of 7-1/2 percent of the total operating budget to apply to any catastrophic occurrences.

S.F.617, authored by Wegscheid, allows Dakota County to develop

its own personnel system and exempts it from the state merit system, and S.F. 844, authored by Sen. Bob Lessard (DFL-Int'l Falls), allows townships to advertise bids for township roads for only two weeks rather than the three weeks currently required.

## Public Utilities and Energy

### Emergency telephone service bill okayed

A bill requiring automatic location identification for 911 emergency telephone service answering points was approved at the Tues., Mar. 24, meeting of the Public Utilities and Energy Committee. The bill, S.F. 783, states that minimum 911 service includes the provision of automatic location identification if the public safety answering point has the capability of providing that service. Under the measure, sponsored by Sen. Sam Solon (DFL-Duluth), automatic location identification means the process of electronically identifying and displaying on a special viewing screen the name of the subscriber and the address of the calling telephone number. According to testimony the measure will add approximately four cents per month to the bill of each customer access line serviced by a 911 system that provides automatic identification location.

Committee members, chaired by Sen. Ronald Dicklich (DFL-Hibbing) also approved the appointment of Tony Perpich as Director of the Department of Public Service.

Panel members then turned their attention to a measure, S.F. 144, authored by Sen. Gene Waldorf (DFL-St. Paul), providing for the deregulation of Inter-LATA interexchange telephone companies and

services. The measure, said Waldorf, is designed to allow long distance companies to compete equally. Under the measure Inter-LATA interexchange service is defined as interexchange service originating and terminating in differ LATAs, which are then defined as "local access and transport area" or specific geographic areas. In Minnesota, the geographic areas are Duluth, Rochester, St. Cloud, Moorhead, and the Twin Cities metro area and the bill addresses the deregulation of long distance services between the five areas. Time constraints forced committee members to delay action on the measure and reschedule the bill for further testimony.

## Taxes and Tax Laws

### Revenue department reviews plan

Officials from the Dept. of Revenue provided a section by section explanation of the income tax bill S.F. 445, to the Income Tax Division, Fri., Mar. 20.

The reform proposal, authored by Sen. Douglas Johnson (DFL-Cook), calls for adoption of federal taxable income as the base for determining state taxable income, resulting in increases in the standard deduction and the personal exemption; removes many credits and shelters available under the present system; and simplifies the filing procedure. The bill also establishes only two tax rates—eight percent and six percent, adds a single head-of-household table, and makes 125,000 low income families exempt from state income tax.

Sen. Lawrence Pogemiller (DFL-Mpls.) chairs the division.

# Preview

## The Minnesota Senate Week at a Glance

### Monday March 30, 1987

#### Education Committee, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** S.F. 452-DeCramer: HECB's career guidance program. S.F. 350-Pehler: Money to State University Board for women's athletics. S.F. 24-Frederick: District #763; permitting district to mail information instead of publishing it. S.F. 235-Pehler: School notification of absent children to parents. S.F. 501-Dicklich: Fringe benefit bill. S.F. 344-Novak: Secondary vocational levy.

#### Finance Committee Health and Human Services Division, Chair: Don Samuelson

8:00 AM Room 125 Capitol

**Agenda:** Testimony on the Dept. of Corrections, Dept. of Health, and Dept. of Jobs and Training budgets.

#### Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 686-Wegscheid: Establishing liens and security interests. S.F. 845-Stumpf: Establishing a windbreak program.

#### Education Committee Higher Education Division, Chair: Gregory Dahl

10:00 AM Room 125 Capitol

**Agenda:** S.F. 912-Hughes: Expanded offerings at Metropolitan State University. S.F. 899-Chmielewski: Fond du Lac higher education center. S.F. 929-Morse: Adding post-secondary, vo-tech representatives to UFARS and ESV computer councils. S.F. 874-Johnson, D.J.: Transferring the U of M Duluth campus to the state for the creation of the University of Northern MN. S.F. 375-Olson: Making

admission to the community college system admission to the AVTI system.

#### Finance Committee Agriculture, Transportation, and Semi-States

Division, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Budgets Dept. of Trans. and Public Safety.

#### Judiciary Committee Civil Law Division, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 577-Reighgott: Corporate mergers, exchanges. S.F. 896-Luther: Probate award of property to children. S.F. 1081-Spear: Consideration of domestic abuse in determining custody.

#### Judiciary Committee Criminal Law Division, Chair: Donna

Peterson

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1028-Spear: Penalty increases for killing or injuring a police dog. S.F. 670-Freeman: Detention of juveniles certified as adults in adult jails. S.F. 1088-Merriam: Limiting detention of juveniles in adult jails. S.F. 1065-Cohen: Juvenile court proceedings.

#### Commerce Subcommittee on Insurance, Chair: William Luther

12:00 Noon Room 125 Capitol

**Agenda:** S.F. 478-Luther: Omnibus Insurance Bill.

#### Economic Development and Housing Committee, Chair: Don

Frank

12:00 Noon Room 15 Capitol

**Agenda:** Discussion of economic development policies of the Perpich administration. Speakers: Governor Rudy Perpich, David Spear, Commissioner, DEED, and Jack DeLuca, Commissioner, IRRRB.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:00 Noon Room 107 Capitol

**Agenda:** S.F. 748-Freeman: Special assessment of highway sound barriers. S.F. 623-Kroening: Hennepin County: capital improvement bonds. S.F. 725-Frederick: Tax adjustments; annexations. S.F. 925-Marty: Ramsey County; capital improvement bonds. S.F. 225-Adkins: Town board powers. S.F. 773-Metzen: Dakota County; capital improvement bonds.

**Employment Subcommittee on Injured Workers' Compensation**,  
Chair: A.W. "Bill" Diessner  
1:00 PM Room 112 Capitol

**Agenda:** Persons from the insurance industry will speak about workers' compensation program.

**Senate will be in session at 2:00 PM**

**Commerce Subcommittee on Banking**, Chair: James Metzen  
3:00 PM Room 107 Capitol

**Agenda:** S.F. 691-Peterson, D.C.: Omnibus Banking Bill.

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** Article I: Foundation and retirement revenue and summer programs.

**Finance Committee State Departments Division**, Chair: Carl Kroening

3:00 PM Room 125 Capitol

**Agenda:** To be announced.

**Agriculture Committee**, Chair: Charles Davis

7:00 PM Room 112 Capitol

**Agenda:** S.F. 954-Chmielewski: Marketing and promotion of peat. S.F. 1016-Davis: Governor's Council on Rural Development. S.F. 517-Stumpf: Selection, sale, and development of state land to produce wild rice.

## Tuesday, March 31, 1987

**Governmental Operations Subcommittee on Pensions**, Chair: Donald Moe

7:00 AM Room 15 Capitol

**Agenda:** Specific pension bills that have passed the Legislative Commission on Pensions and Retirement.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 508-Novak: Transporting hazardous waste. S.F. 58-Frank: Child restraint systems for children under four. S.F. 474-Solon: Tax-exempt license plates for non-profit charities. S.F. 888-Johnson, D.E.: School bus stopping at certain railroad crossings in Melrose. S.F. 988-DeCramer: Exempting drivers of intrastate charter carriers from medical examiner certificate.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 772-Luther: Regulation of health clubs. S.F. 800-Wegscheid: Charges on open end loan accounts. S.F. 966-Wegscheid: Uniform Unclaimed Property Act. S.F. 1031-Wegscheid: Licensure of interior designers. S.F. xxx-Purfeerst: Task force to study licensing of interior designers.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** Cont. of S.F. 144-Waldorf: Inter-LATA interchange telephone deregulation. S.F. 677-Dicklich: Telecommunications deregulation. S.F. 526-Peterson, D.C.: Resolution opposing hydropower generating facilities at St. Anthony Falls. S.F. 875-Marty: Energy conservation programs appropriation. S.F. 880-Freeman: Flexible gas utility rates. S.F. 1029-Marty: Devices enabling impaired people to use telephones. S.F. 1072-Piper: Lengthening

the time period for preparation for hearing or territorial disputes.

**Veterans Committee**, Chair: Joe Bertram

10:00 AM Room 107 Capitol

**Agenda:** S.F. 721-Bertram: Plaque on Capitol grounds in recognition of POW's and MIAs. S.F. 498-Bertram: Adjutant General to delegate certain duties.

**Legislative Commission on Employee Relations**, Chair: Rep. Gerald Knickerbocker

11:15 AM Room 400S SOB

**Agenda:** State pay equity report for female dominated job classifications; state agency head salaries; notifications of salary increases.

**Commerce Subcommittee on Banking**, Chair: James Metzen

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 823-Solon: Acquisition of banks as detached facilities in Duluth. S.F. 743-Spear: Permitting additional detached facilities. S.F. 967-Luther: Acquisition of banks for operation as detached facilities.

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** S.F. 810-Lantry: Group Health insurance paid to providers. S.F. 786-Berglin: Limits reimbursement for certain GMAC and MA providers. S.F. 946-Berglin: Altering allocation of fiscal disallowances. S.F. 712-Berglin: Rates for sliding fee child care. S.F. 834-Wegscheid: Advisory Council on Mental Health. S.F. 908-Beckman: Community services conversion program. S.F. xxx-Berglin: Cigarette tax for health fund. S.F. 945-Berglin: Transfer from revenue to public health fund. Items not completed may be continued at 6:00 PM in Room 123 Capitol.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 125 Capitol

**Agenda:** Allocations for state university system.

**Local and Urban Government Subcommittee on Metropolitan**

**Government**, Chair: Darril Wegscheid

3:00 PM Room 112 Capitol

**Agenda:** S.F. 923-Freeman: Composition of MAC. S.F. 991-Freeman: Fee for conducting aircraft operations at night. S.F. 893-Cohen: PCA to finance noise control program. S.F. 1020-Brandl: Regulating conflicts of interest of MAC.

**Taxes and Tax Laws Subcommittee on Economic Development Tax**,  
Chair: Ember Reichgott

3:00 PM Room 15 Capitol

**Agenda:** Discussion of enterprise zone credits. S.F. 170-Pogemiller: recodification of economic development laws. S.F. 683-Pogemiller: Bond allocation. S.F. 821-Pogemiller: Public financing. H.F.362/S.F. 330-Reichgott: Hennepin county HRA. S.F. 506-Morse: Low-income housing credit.

**Joint Education Subcommittees on Libraries**, Chair: Donna Peterson

4:00 PM Room 300N SOB

**Agenda:** S.F. 13-Chmielewski: Library construction, H.F. 365-Sviggum: Regional library boards. S.F. 1006-Peterson, D.C.: Library access. S.F. 960-Wegscheid: Public library automation grants. Discussion of Article IX, public libraries.

**Agriculture Subcommittee on Agriculture Resources**, Chair:

Charles Davis

7:00 PM Room 107 Capitol

**Agenda:** S.F. 956-DeCramer: Changes in drainage laws.

**Education Committee Education Aids Division**, Chair: Randolph Peterson

7:00 PM Room 15 Capitol

**Agenda:** Article IV, community education. Complete Article I.

**Health and Human Services Committee**, Chair: Linda Berglin

7:00 PM Room 123 Capitol

**Agenda:** S.F. 283-Spear: Prohibits deceptive pregnancy counseling.

## Wednesday, April 1, 1987

**General Legislation and Public Gaming Committee**, Chair: Bob Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 863-Wegscheid: Racing days for standard breeds S.F. 1025-Diessner: Authorizing competition for an state song.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 977-Brandl: Right of first refusal. S.F. xxx-Morse: Right of first refusal.

**Finance Committee Agriculture, Transportation, and Semi-States Division**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Discussion of highway plan. S.F. 200-Dahl: Development of new Highway 10. S.F. 36-DeCramer: Dedicating motor vehicle excise tax proceeds to highway and transit purposes.

**Judiciary Committee Civil Law Division**, Chair: Tad Jude

10:00 AM Room 107 Capitol

**Agenda:** S.F. 1007-Cohen: Judicial administration. S.F. 156-Luther: Uniform Commercial Code. S.F. 868-Spear: Public guardianship standards.

**Judiciary Committee Criminal Law Division**, Chair: Donna Peterson

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1199-Spear: Limiting exercise of police powers to licensed police. S.F. 785-Peterson, D.C.: Clarifying the crime of depriving parental rights. S.F. 1097-Peterson, D.C.: Domestic assault conditional release orders.

**Judiciary Committee**, Chair: Allan Spear

11:30 AM Room 15 Capitol

**Agenda:** S.F. 286-Spear: Gross misdemeanor property crimes. S.F. 189-Jude: Mechanic's lien. S.F. 349-Peterson, R.W.: Conciliation court enforcement procedures. S.F. 764-Reichgott: Husband/wife privilege exemption. S.F. 953-Chmielewski: Tax payment for recording of real estate deeds.

**Senate will be in session at 12:00 Noon**

**Commerce Subcommittee on Banking**, Chair: James Metzen

1:00 PM Room 107 Capitol

**Agenda:** S.F. 692-Peterson, D.C.: Lifeline banking bill.

**Health and Human Services Subcommittee on Health and Health Financing**, Chair: John Brandl

1:00 PM Room 15 Capitol

**Agenda:** S.F. 83-Dahl: Mosquito research. S.F. 1048-Lantry: Health Dept. rule changes, communicable disease control. S.F. 612-Berglin: Nursing home moratorium exceptions. S.F. 998-Berglin: MA definition of vendors of medical care. S.F. 887-Berglin: Clarifies in-patient hospital rates. S.F. 872-Brandl: MA nursing home therapy services. Items not completed may be continued at 6:00 PM in Room 123 Capitol.

**Health and Human Services Subcommittee on Social Services and Government Administration**, Chair: Pat Piper

1:00 PM Room 123 Capitol

**Agenda:** S.F. 514-Berglin: Ombudsman for Mentally Ill. S.F. 1008-Wegscheid: Regulation of chiropractic. S.F. 1085-Peterson, D.C.: Licensure and establishment of Board of Social Work Examiners. S.F. 747-Peterson, R.W.: Community based residential programs for mentally retarded. S.F. 1113-Piper: Social services licensure of day care and vulnerable adults. Items not completed may be continued at 6:00 PM Room 125 Capitol.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 123 Capitol

**Agenda:** Allocations for state university system.

**Finance Committee Health and Human Services Division**, Chair:

Don Samuelson

3:00 PM Room 125 Capitol

**Agenda:** Public testimony on budgets of: Dept. of Corrections, Dept. of Health, Dept. of Human Services, Dept. of Jobs and Training.

**Taxes and Tax Laws Committee Sales Tax Division**, Chair: LeRoy Stumpf

3:00 PM Room 15 Capitol

**Agenda:** S.F. 546-Johnson, D.J.: Misc. tax provisions.

**Commerce Committee**, Chair: Sam Solon

4:30 PM Room 112 Capitol

**Agenda:** S.F. 873-Johnson, D.J.: Lake Co.; off sale liquor license. S.F. 596-Chmielewski: Kanabec Co.; removes restriction of issuance of liquor license. S.F. 990-Samuelson: Little Falls; temporary on-sale license. S.F. 1183-Jude: Mpls. on-sale liquor license for American Swedish Institute. S.F. 879-Solon: Repeal of law requiring filing of liquor wholesale price lists. S.F. 1114-Solon: Defines non-liquor items allowable to be sold in liquor stores. S.F. 1152-Solon: Liquor regulations. S.F. 1053-McQuaid: Licensing of low-volume brewers. S.F. 1075-Wegscheid: Brewers to sell at retail without additional license.

**Judiciary Committee Civil Law Division**, Chair: Tad Jude

5:00 PM Room 107 Capitol

**Agenda:** Bills laid over from Mar. 27, Mar. 30 and the morning meeting.

**Legislative Commission on Pensions and Retirement**, Chair: Rep. Wayne Simoneau

6:00 PM Basement hearing room of the SOB

**Agenda:** To be announced.

**Agriculture Committee**, Chair: Charles Davis

7:00 PM Room 107 Capitol

**Agenda:** S.F. 1090-Vickerman: Requiring all milk to be pasteurized. S.F. 476-Davis: Establishing an endowed chair at U of M.

**Health and Human Services Committee**, Chair: Linda Berglin

7:00 PM Room 123 Capitol

**Agenda:** S.F. 389-Chmielewski: Disposition of fetuses.

## Thursday, April 2, 1987

**Governmental Operations Committee**, Chair: Donald Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 1203-Luther: DEED reorganization.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** Confirmation hearings. S.F. 729-Frederickson, D.J.: Unleaded gasoline blended with ethanol.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 728-Luther: Disclosure of credit rates on new open-end credit solicitations. S.F. 153-Lantry: Cash refund for goods returned.

**Veterans Committee**, Chair: Joe Bertram

10:00 AM Room 107 Capitol

**Agenda:** Overview of MN Veterans Home.

**Economic Development and Housing Committee**, Chair: Don Frank

12:00 Noon Room 15 Capitol

**Agenda:** S.F. 765-Mehrken: Port authority for the City of Cannon Falls. S.F. 697-Frederickson: Authorizing counties to appropriate money for economic development. S.F. 84-Dahl: Loans and grants to small businesses.

**Local and Urban Government Committee**, Chair: Robert Schmitz

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 259-Jude: Bullet-proof vests. S.F. 1100-Moe, D.M.: Conditions for debt in transportation program. S.F. 1087-Merriam: City of Champlin. S.F. 1084-Schmitz: Street access charge.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol

**Agenda:** Article III, Special Ed., LEP, Indian Ed.

**Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg**

3:00 PM Room 107 Capitol

**Agenda:** S.F. 614-Dahl: "Take a Kid Fishing Weekend". S.F. 731-Berg: Otter season, use of lights. S.F. 890-Bernhagen: Use of dogs in taking bear. S.F. 1056-Berg: Increase license fees. S.F. 645-Frederick: Free fishing licenses for certain disabled employees.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 123 Capitol

**Agenda:** Review new budget requests from the Health Dept. and the requests from the Dept. of Corrections and DHS.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 125 Capitol

**Agenda:** To be announced.

**Health and Human Services Committee on Income Maintenance and Welfare Reform Division, Chair: Marilyn Lantry**

6:00 PM Room 123 Capitol

**Agenda:** Comprehensive welfare reform bill.

**Agriculture Subcommittee on Agricultural Credit, Chair: LeRoy Stumpf**

7:30 PM Room 125 Capitol

**Agenda:** S.F. 112-Dahl: Agricultural linked deposit program.

**Judiciary Committee, Chair: Allan Spear**

7:30 PM Room 15 Capitol

**Agenda:** S.F. 412-Luther: Health and safety liens for PCA. S.F. xxx-Reichgott: Dept. of Human Rights changes. S.F. 855-Berglin: Public pension benefits for marriage dissolution. S.F. 243-Frank: Snowmobile, all terrain vehicle DWI. S.F. 462-Cohen: Partial distribution of marital assets. S.F. 538-Peterson, R.W.: Trust investment standards. S.F. 578-Reighgott: Corporate law modifications. S.F. 605-Bertram: Possessing a police band radio. S.F. 611-Renneke: Amateur radio access to police emergency communications. S.F. 979-Freeman: Age discrimination in employment. S.F. 947-Berglin: Criteria for stay of sentence for repeat criminal sexual assault convictions. S.F. 948-Berglin: Admissibility of victim's prior sexual conduct. S.F. 1018-Peterson, D.C.: Definitions for "mentally incapacitated", "intent" and "coercion". S.F. 1019-Peterson, D.C.: Fifth degree criminal sexual conduct.

**Friday, April 3, 1987**

**Commerce Committee, Chair: Sam Solon**

8:00 AM Room 112 Capitol

**Agenda:** S.F. 1078-Frederickson, D.R.: Notice of default on conventional loans. S.F. 830-Pehler: Regulates franchise non-renewals. S.F. 751-Samuelson: Allows real estate deposits in savings and loans.

**Education Committee Education Aids Division, Chair: Randolph Peterson**

8:00 AM Room 15 Capitol

**Agenda:** Article II, Transportation.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 429-Moe, R.D.: Minimum standards for seed potatoes. S.F. 112-Dahl: Agricultural linked deposit program.

**Finance Committee Education Division, Chair: Gene Waldorf**

10:00 AM Room 125 Capitol

**Agenda:** Allocations for community college system.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 964-Marty: Parental rights; custody; adoption. S.F. 187-Peterson, R.W.: Self storage liens. S.F. 1156-Peterson, D.C.: Nuisance abatement.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 321-Merriam: DWI extended to other substances. S.F. 265-Jude: DWI prior conviction information. S.F. 992-Peterson, D.C.: BWI - implied consent. Any bills not completed on Mar. 27 and Apr. 1.

**Commerce Committee, Chair: Sam Solon**

1:00 PM Room 107 Capitol

**Agenda:** To be announced.

**Health and Human Services Committee on Income Maintenance and Welfare Reform Division, Chair: Marilyn Lantry**

1:00 PM Room 15 Capitol

**Agenda:** Comprehensive welfare reform bill.

**Taxes and Tax Laws Committee Income Tax Division, Chair: Lawrence Pogemiller**

3:00 PM Room 15 Capitol

**Agenda:** Governor's corporate tax proposal.

**Saturday, April 4, 1987**

**Governmental Operations Committee, Chair: Donald Moe**

9:00 AM to 5:00 PM Room 15 Capitol

**Agenda:** To be announced.

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## The Minnesota Senate Week in Review

April 3, 1987

### Governor discusses economic development policy

At the request of panel members, Governor Rudy Perpich appeared before the Economic Development and Housing Committee Monday, March 30, to discuss the controversial Endotronics issue and state economic development policy.

"Many of us feel the economic development process is fragmented, faltering and failing drastically," said Sen. Donald Storm (IR-Edina), questioning Perpich and his persistence with the Endotronics legislation.

"Our plan has been jobs and the focus is to work on all fronts. Endotronics was handled no differently than any company that comes to me. My job is to promote economic development. I make the initial contacts. You [the legislators] work out the details," Perpich responded.

The governor told committee members that the state has a process for economic development activities and that "it works." He added, "I worked to assist Endotronics but it was no different than any other activities on behalf of job-growth efforts in the state."

Sen. Don Frank, chair of the committee, asked Perpich why Endotronics officials in December of 1986 said that they anticipated a loan from the Legislature. Denying any commitments were made, Perpich said, "no one who knows the process would say that."

After an hour and fifteen minute meeting with the governor, the committee heard an overview presentation on economic development policy from the Commissioner of the Department of Energy and Economic Development (DEED) David Speer. The commissioner reported that DEED did raise questions concerning the stability of Endotronics but "was out of the picture by November. We're picky about who we finance — and we have a good record."

A final report was given by the Iron Range Resources and Rehabilitation Board (IRRRB). Mr. Mark Phillips, Director of Economic Development, told the committee that the economic development role of the Legislature is to "set the policy, the rules of the game, and dollar appropriations. We (IRRRB), put the programs together."

### Bill restricts fetal disposal

A bill restricting the disposal of fetal remains won the support of the Health and Human Services Committee Wednesday, April 1, and was forwarded to the Senate floor. The measure, S.F. 389, requires medical clinics and hospitals to dispose of the remains by incineration, cremation, burial or in a manner directed by the commissioner of health.

The intent of the legislation, according to bill sponsor Sen. Florian Chmielewski (DFL-Sturgeon Lake), is to provide a dignified and sanitary means of disposal for the remains of aborted or miscarried human fetuses. Chmielewski said the remains of the fetus, including ash, should not be dumped in a landfill or disposed of in a sanitary sewer. The committee adopted an amendment offered by Sen. John Brandl (DFL-Mpls.) permitting the remains to be incinerated. Brandl told panel members that incineration "meets society's standards."

The committee, chaired by Sen. Linda Berglin (DFL-Mpls.), also removed a provision requiring hospitals and medical clinics to submit annual reports explaining methods of disposal. Sen. Sam Solon (DFL-Duluth), sponsor of the amendment, said the reporting provisions are unnecessary.

The bill, as referred to the Senate floor, essentially prohibits disposal of fetus remains in sanitary sewers. Current law, according to Dave Feinwachs from the Minnesota Hospital Association, prohibits dumping of human tissue in landfills.

### Lottery bill proceeds to Rules Committee

Voters in the 1988 general election would decide if Minnesota should allow a state-run lottery, according to a bill advanced by the General Legislation and Public Gaming committee Friday, March 27. Sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), the bill, S.F. 2, was referred to the Rules Committee.

Minnesota's constitution currently prohibits the Legislature from authorizing a lottery, and only a majority of voters in a general election can remove the restriction. However, the Legislature and the governor must first enact a law proposing the constitutional amendment.

The Senate last year approved the lottery bill, but the proposal stalled in the House of Representatives. Since the proposed amendment would be placed on the 1988 election ballot, the Rules and Administration Committee, chaired by Senate Majority Leader Roger Moe (DFL-Erskine), may delay action until next legislative session.

### Senate okays interest buy-down plan

The conference committee report on the interest subsidy program won final Senate approval Thursday, April 2, and was sent to the governor for his signature. The \$31 million plan extends the program with a \$17 million appropriation and funds the \$14 million deficiency.

Under the approved bill, eligible farmers could qualify for a 4.5 interest subsidy on the first \$60,000 of a farm operating loan. About 2.8 percentage points of the subsidy would be paid by the state, while the lender would pay the remainder. About \$14 million is appropriated for the state-lender program this year, and another \$3 million is offered over two years for a subsidy program that includes participation by the Farmers Home Administration.

Before the Senate approved the bill on a 65-0 vote, members rejected a motion offered by Sen. Charles Berg (DFL-Chokio) that would have sent the bill back to conference. Berg wanted the House to agree that the program would not be extended in future years. However, Senate members argued that further delay on the bill would hurt Minnesota's farmers.

In other action Thursday, the Senate adopted the House-Senate Joint Rules. According to Assistant Majority Leader William Luther, new provisions require that language added in conference committees be germane to the bill. In addition, Senate and House members are obliged to advise other members, either orally or by writing, of substantive changes made in conference.

Other bills gaining final approval Thursday include: S.F. 403 (Bertram) assuring that only qualified newspapers accept legal notices for publication; H.F. 134 (Lantry) requiring an employer to notify employees and job applicants of bankruptcy proceedings; S.F. 27 (Pehler) providing payment for pedestrian and street improvements in St. Cloud; and H.F. 737 (Luther) memorializing the President and Congress to prevent from taking effect the proposed Internal Revenue Service regulations that limit the lobbying activities of nonprofit organizations.

# Committee Capsule

## Agriculture

### RFA program changes approved

A bill making changes in the Rural Finance Administration loan program gained approval from the Agricultural Credit Subcommittee, Thurs., Mar. 26.

S.F. 506, authored by Sen. Charles Davis (DFL-Princeton), is a "housekeeping" bill and also removes certain restrictions in the farm property financing program by providing that the RFA may purchase agricultural loans from federally guaranteed institutions. The bill was referred to the Agriculture Committee.

The Subcommittee on Agricultural Resources also endorsed a measure, Tues., Mar. 31, and referred it to the full committee. S.F. 956, authored by Sen. Gary DeCramer (DFL-Ghent) clarifies and expands on current regulations pertaining to public water drainage systems.

### Dairy, peat and development bills okayed

The Agriculture Committee met Fri., Mar. 27, and approved two bills.

S.F. 336, authored by Sen. LeRoy Stumpf (DFL-Plummer), adds oak wilt disease to the Dept. of Agriculture's shade tree program. The measure also expands the categories of license fees and increases the penalty fees for food handlers. A provision of the bill to repeal certain inspection duties of the commissioner of agriculture was deleted by amendment.

A bill, S.F. 804, authored by Sen. Joe Bertram (DFL-Paynesville) appropriating \$400,000 to the University of Minnesota over the 1988-89 biennium for the establishment of a veterinary health care delivery system for dairy cattle also received approval. Both bills were re-referred to the Finance Committee.

A third measure was heard Mar. 27 and approved at the Mon., Mar. 30, committee meeting. S.F. 832, authored by Bertram, contains the following provisions: that the fees for milk inspection be raised; that certain restrictions be placed on bee handlers bringing bees into the state; and that sheep milk be included in the types of milk to be inspected.

Also approved Mar. 30 and re-referred to the Finance Committee were S.F. 954 (Chmielewski) appropriating \$350,000 for a peat marketing and promotion program, and S.F. 1016 (Davis) transferring the authority of the Governor's Council on Rural Development from the commissioner of energy and economic development to the commissioner of agriculture.

The purpose of the council, as outlined by Davis, is to encourage economic development by funding new and innovative agricultural and forestry projects. The bill states that the council may make loans and award demonstration grants from the Rural Rehabilitation Fund.

The committee, chaired by Davis, also approved S.F. 517, authored by Stumpf, which stipulates that 5,000 acres of state land will be sold over a two year period to persons intending to grow and market wild rice. The measure was re-referred to the Environment and Natural Resources Committee.

S.F. 686 (Wegscheid), making the statute language on agricultural liens or security interests comply with the federal clear title law, was approved and sent to the Senate Floor.

### Right of First Refusal approved

A bill establishing a windbreak management program was laid over by the Agriculture Committee, Wed., Apr. 1. The committee plans to consolidate the measure, S.F. 845, with the Reinvest In Minnesota land management bill, S.F. 841 (Novak), which will be heard in the Agriculture Committee the week of Apr. 6. Chair Charles Davis (DFL-Princeton) said the windbreak program fits in with the objectives of the RIM legislation.

The committee discussed another measure, S.F. 1279, authored by Sen. Steven Morse (DFL-Dakota), and approved it at a hearing held that evening. S.F. 1279, a right of first refusal bill, gives farmers the option of buying or leasing their farm property back after it has gone through foreclosure. According to the bill, the agent handling the property must notify the former owner that an offer has been made on the property and that the former owner has 65 days in

which to act on the notice.

A major policy question that had to be settled by the committee was whether a farmer who has already completed bankruptcy proceedings should be eligible for the right to re-purchase his property. An amendment offered by Sen. Charles Berg (DFL-Chokio) to make them ineligible was narrowly defeated. The measure was re-referred to the Judiciary Committee.

In other action, the committee approved S.F. 476 (Davis), establishing an endowed chair at the University of Minnesota for sustainable agriculture, and re-referred it to the Education Committee.

A bill authored by Sen. Jim Vickerman (DFL-Tracy), S.F. 1090, requiring that all milk sold be pasteurized, was laid over for further discussion following adoption of an amendment excluding sheep milk from the regulations.

## Commerce

### Health club registration bill advances

A measure requiring health and social service clubs to register with the attorney general was approved and re-referred to the Finance Committee at the Tues., Mar. 31 Commerce Committee meeting. S.F. 772, sponsored by Sen. William Luther (DFL-Brooklyn Park), sets the initial club registration fee at \$250 and the renewal fee at no more than \$150.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), also approved a measure that would establish certain charges on open-ended loan accounts. S.F. 800, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for establishing charges on the use of automated teller machines, delinquency and collection payments, and miscellaneous services.

A third bill approved by panel members, S.F. 1031, authored by Wegscheid, establishes the Minnesota Task Force on Interior Designers and Decorators to study whether or not decorators and designers should be licensed. S.F. 1031 and S.F. 800 were advanced to the Senate floor.

### Banking bill supported

The Insurance Subcommittee of the Commerce Committee met Mon., Mar. 30, to continue review of the Omnibus Insurance bill, S.F. 478. The subcommittee, chaired by Sen. William Luther (DFL-Brooklyn Park), deleted six sections of the bill relating to public membership on insurance boards and heard testimony on temporomandibular joint disorder and craniomandibular disorder insurance coverage.

The Subcommittee on Banking met Mon., Mar. 30 and Wed., Apr. 1, to act on S.F. 691, the Omnibus Banking Bill, authored by Sen. Donna Peterson (DFL-Mpls.). Seventeen amendments were made to the bill before it was approved and sent to the Commerce Committee.

In other action, the Banking Subcommittee, chaired by Sen. James Metzger (DFL-South St. Paul), met Tues., Mar. 31 and approved two other banking bills.

S.F. 743, authored by Sen. Allan Spear (DFL-Mpls.), lessens the restrictions on the number of branch facilities a bank may acquire and operate and changes the provisions regarding the distance limit on acquired branch banks. A friendly amendment to the measure, offered by Sen. Michael Freeman (DFL-Richfield), allowing unlimited mergers of metro area banks and limiting outstate bank mergers to five, was also approved. Freeman's amendment incorporated elements of a bill authored by Sen. William Luther (DFL-Brooklyn Park), S.F. 967. The Luther bill was laid on the table.

S.F. 823, a local Duluth-area bill equivalent to the state-wide bank merger bill, authored by Solon, was also referred to the full committee. Solon said he wanted to put the bill before the full committee in case the state-wide measure fails to become law.

### Action taken on liquor bills

Four local liquor bills were endorsed by the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), when the panel met Wed., Apr. 1.

S.F. 873 (Johnson D.J.), S.F. 1183 (Jude) and S.F. 1290 (Hughes)

allow allow the granting of specific liquor licenses while S.F. 576 (Chmielewski) removes a restriction in obtaining liquor licenses in Kanabec County. The bills were sent to the Senate Floor.

In addition, the panel approved three measures authored by Solon making changes in laws regulating the liquor industry. S.F. 897, repealing a law requiring monthly filing of lists of wholesale prices, was amended at the request of the liquor industry to require that wholesalers offer all liquor at an equal price to all retailers. S.F. 1152 restricts dealer sales to tax delinquent licensees and imposes a penalty for violators. S.F. 1114, defining which non-liquor items may be sold in liquor stores was amended to make the list of items broader. Other amendments to the bill allow both used and new barrels to be used in aging whiskey and limits the amount of sugar allowable in certain liqueurs. Solon's bills were also sent to the Senate Floor.

A measure authored by Sen. Darril Wegscheid (DFL-Apple Valley), S.F. 1075, allowing licensed brewers producing specialty or "house" beers to sell the beer on the premises without obtaining an additional retail license, was laid over for further study.

The committee met Thurs., Apr. 2, and approved S.F. 153, authored by Sen. Marilyn Lantry (DFL-St. Paul). The measure, which was sent to the Senate Floor, requires that a seller must give a cash refund to a consumer for purchases that are in good condition for return. If the seller opts to alter the refund policy, they must post a notice of the policy in a conspicuous location. Car dealers, home solicitation sales operations, and custom made goods producers are exempt from the legislation.

## Economic Development and Housing

### Wage subsidies bill advances

Members of the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Thurs., Mar. 26, and advanced three bills to the Committee on Finance.

S.F. 654, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), establishes an advisory task force to study moisture and air quality problems in single family homes. S.F. 918, authored by Sen. Sam Solon (DFL-Duluth), appropriates \$4.2 million to the Duluth Seaway Port Authority to purchase two mobile crawler cranes and to improve two berths.

The third bill, S.F. 778, authored by Sen. Michael Freeman (DFL-Richfield), provides \$40.0 million for job and job training programs. The measure provides for wage subsidies in the private and public sector allowing the commissioner of jobs and training to coordinate employees with service contractors.

### Panel approves IRRRB appropriation

A bill that would appropriate an unspecified amount of money to the Iron Range Resources and Rehabilitation Board (IRRRB) was approved by the Economic Development and Housing Committee and sent to the Tax Committee Tues., Mar. 31. S.F. 1111, authored by Sen. Ronald Dicklich (DFL-Hibbing), provides that the money be made available from the general fund and be used for economic development purposes in the depressed rural area.

Panel members also approved a measure reorganizing the structure of the Department of Agriculture, the Department of Public Service, and the Department of Energy and Economic Development (DEED). S.F. 1203, sponsored by Sen. William Luther (DFL-Brooklyn Park), renames DEED the Department of Trade and Economic Development and transfers the Energy Division to the Department of Public Service. In addition, the bill provides that the Minnesota World Trade Center become a public corporation and not a state agency. S.F. 1203 was re-referred to the Governmental Operations Committee.

### Mobile home parks bill approved

Disclosure of a manufactured home park closing must be provided to residents of mobile homes by park owners at least nine months prior to the closing according to a measure approved by the Economic Development and Housing Committee, Wed., Apr. 1.

S.F. 631, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires that home owners be notified of a public hearing regarding zoning changes; requires that if the displaced owner cannot relocate

within 25 miles, the owner may be entitled to relocation costs; and imposes a right of first refusal. Under this provision, a group of resident's or a resident's association would have the opportunity to purchase or lease the park. S.F. 631 was sent to the Senate floor.

## Education

### Missing child bill advances

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), met Mon., Mar. 30, and approved four bills. S.F. 24, carried by Sen. Mel Frederick (IR-Owatonna), provides that in school districts where no local newspaper is published, residents of the district are to be mailed summaries of the school board minutes.

S.F. 235, authored by Pehler, provides for school districts to develop a policy requiring that parents or legal guardians must submit a written note to the school when a pupil is late or absent. The measure also requires that when a student enrolls in school, parents or legal guardians must submit a birth certificate and a previous school record to the school within four weeks after the pupil has enrolled in the school. According to Pehler, if the documents are not submitted within the time limit, the pupil would be assumed to be a missing child, and school officials would be required to notify law enforcement officials.

S.F. 344, sponsored by Sen. Steven Novak (DFL-New Brighton), increases the levy from .5 mill to .7 mill for secondary vocational education in Intermediate School Districts 916 and 917. S.F. 344, S.F. 235, and S.F. 24 were advanced to the Senate floor.

The final measure, S.F. 452, authored by Sen. Gary DeCramer (DFL-Ghent), provides for expanding the Post-High School Planning Program to include education as well as career guidance for students in eighth grade and above. S.F. 452 was re-referred to the Committee on Finance.

### Metro U to expand course offerings

A measure providing for expanded course offerings at Metropolitan State University was approved by the Higher Education Division Mon., Mar. 30. S.F. 912, authored by Sen. Jerome Hughes (DFL-Maplewood), appropriates \$2.6 million in FY 1988 for Metro State University to develop additional program offerings.

Division members, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), also okayed a bill that would establish a Fond du Lac Higher Education Center. According to S.F. 899 sponsor Florian Chmielewski (DFL-Sturgeon Lake), the center would be established as a pilot project and would require an appropriation of \$800,000 in FY 1988.

Another measure approved by the division provides for increasing Uniform Accounting and Reporting Standards (UFARS) and Educational Secondary Vocational (ESV) advisory council membership. S.F. 929, authored by Sen. Steven Morse (DFL-Dakota), was advanced to the full Education Committee as were S.F. 912 and S.F. 899.

The division also began examination of S.F. 874, sponsored by Sen. Douglas Johnson (DFL-Cook), providing for the establishment of the University of Northern Minnesota, which is currently the University of Minnesota, Duluth.

### Funding for women's athletics gains

The Education Committee met Wed., Apr. 1, and approved eight bills. S.F. 350, authored by Sen. James Pehler (DFL-St. Cloud), provides for making available \$2.6 million for women's intercollegiate athletic programs in FY 1988 and 1989. Another measure sponsored by Pehler, S.F. 839, increases the Task Force on Average Cost Funding membership and requires that the task force study post-secondary enrollment changes and funding correlations. Pehler also carried a bill that would require that the appropriation cuts made in the 1986 First Special Session be restored to four post-secondary institutions. The three bills were re-referred to the Committee on Finance.

S.F. 829, sponsored by Sen. Ember Reichgott (DFL-New Hope), requires that the Higher Education Coordinating Board provide students in the eighth grade and above, and adults, with information on post-secondary educational opportunities, financial assistance, and academic standards. S.F. 829 was re-referred to the Committee on Finance.

# Committee Capsule

S.F. 698, authored by Sen. Jerome Hughes (DFL-Maplewood), allows Intermediate School District 916 to issue bonds for the purpose of improving secondary vocational and special education facilities. S.F. 371, carried by Sen. David Frederickson (DFL-Murdock), clarifies language that states that funds may not be transferred from the debt redemption fund. Both measures were advanced to the Senate floor.

Panel members also approved S.F. 169. The measure, authored by Sen. Charles Davis (DFL-Princeton), provides for the Board of Teaching to conduct a study on whether or not physical and health education courses ought to be a requirement for post-secondary teacher education programs.

S.F. 501, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), referred to the Finance Committee, allows school district employees to participate in a fringe benefit program through the state.

## Library automation grant approved

Three measures advanced out of the Joint Senate and House Subcommittee on Libraries Tues., Mar. 31. Subcommittee members, chaired by Sen. Donna Peterson (DFL-Mpls.), approved S.F. 13, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizing local governments to impose a property tax levy for the purpose of library construction.

S.F. 960, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), establishes a public library automation grant program and makes available \$600,000 for the program in FY 1988 and \$1.2 million in FY 1989. S.F. 1006, authored by Peterson, ensures library support and participation by requiring that counties provide financial support for public library services. The three bills were sent to the full Education Committees.

In final action, subcommittee members amended the Library Article by increasing Multi-County, Multi-Library appropriations from \$203,600 in FY 1988 to \$216,800 and from \$206,000 in FY 1989 to \$221,500.

## Education Aids

### Funding equity proposal reviewed

The Education Aids Division, chaired by Sen. Randolph Peterson, met Thurs., Mar. 26, and Fri., Mar. 27, to examine five bills. S.F. 315, authored by Sen. Charles Berg (DFL-Chokio), would permit school districts to use a state compatible financial reporting system without Board of Education approval and without processing through a regional center.

S.F. 749 sponsored by Sen. William Belanger (IR-Bloomington), would permit Independent School District 271 to levy \$940,000 for the purpose of repairing and replacing deteriorating roofs on school buildings. S.F. 891, proposed by Sen. Darril Wegscheid (DFL-Apple Valley), would exclude the community education service fund from the second tier levy fund balance.

S.F. 166, authored by Peterson, proposes to simplify and revise the currently complex education aids formula. According to proponents of the bill that testified before the subdivision, the bill focuses on correcting funding inequities and provides for more power on the local school district level. The fifth bill, S.F. 883, sponsored by Sen. Keith Langseth (DFL-Glyndon), provides for aid and levy disparity reductions. No action was taken on any of the bills.

### Panel studies revenue formula

Members of the Education Division met Mon., Mar. 30, and discussed provisions of Article I of the Omnibus Education bill. As amended, Article I creates a general education revenue to replace the current foundation formula for the foundation program, Teacher Retirement Aid, and ten categorical programs.

Under this provision, each district would receive a minimum of \$2,724 per pupil unit with an average levy of 35 mills and would become effective in the 1988-1989 school year.

Division members met again Tues., Mar. 31, and okayed Article I and IV of the Omnibus Education bill. Provisions of the measure include funding for adult basic and continued education at current formula levels, revenue for adult handicapped program, community education aid, and health and developmental screening programs at

the governor's recommended level.

An amendment offered by Sen. Jerome Hughes (DFL-Maplewood), and adopted by the division, provides school districts with additional revenue based on the number of children under the age of five years in families receiving AFDC.

## Elections and Ethics

### Bill regulating lobbyists sent to floor

S.F. 604, preventing registered lobbyists from making campaign contributions to members of the state Legislature was approved by the Elections and Ethics Committee Wed., Apr. 1. According to bill author Sen. Charles Berg (DFL-Chokio), the measure prohibits a member of the Legislature from soliciting a contribution from a lobbyist at an organized fund raiser during a regular session of the Legislature.

An amendment offered by Sen. Luther (DFL-Brooklyn Park), and adopted, allows members of an organization to make contributions to a candidate, but requires that the contribution be considered as a contribution by the organization to the candidate if that organization was organized to direct the contributions to its members.

The committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), also approved five other bills. S.F. 247, authored by Sen. Donna Peterson (DFL-Mpls.), clarifies and makes certain changes to the Fair Campaign Practices Act.

S.F. 466, sponsored by Sen. Carl Kroening (DFL-Mpls.), prohibits cities with populations over one million from changing its voting system unless three public hearings are held, a study on the new system is presented, and the new system is tested in 15 percent of the precincts.

S.F. 604, S.F. 247, and S.F. 466 were advanced to the Senate floor.

S.F. 794, carried by Luther, provides for a resolution to the President of the United States and Congress to prohibit the IRS from adopting regulations that limit lobbying activities by non-profit organizations. The bill was sent to the Senate floor. S.F. 487, also authored by Luther, provides for changing voter registration systems to increase voter participation by developing a statewide computerized voter registration system and by requiring that registration forms be included in income tax forms and driver license applications. S.F. 487 was sent to the Committee on Finance.

The final measure, S.F. 550, sponsored by Sen. Ron Dicklich (DFL-Hibbing), sent to the Senate floor, requires voters to be informed of certain voting laws and requires that primary ballot booklet pages have specified colors.

### Committee adopts ethics standard

A special Ethical Conduct Committee meeting was held Wed., Apr. 1, after a formal complaint regarding ethical conduct in the Legislature was filed by Sens. Gary Laidig (IR-Stillwater) and Fritz Knaak (IR-White Bear Lake).

Senate Minority Leader Duane Benson (IR-Lanesboro) told the four member panel, chaired by Sen. Jerome Hughes (DFL-Maplewood), that the intent of the complaint was to evaluate good faith behavior in the Senate. "What we are asking," said Benson, "is an opinion by the committee on appropriate behavior, a possible rule change that would affect the behavior of the members, and a statement of code of ethics."

After hearing testimony, the committee adopted an advisory opinion that a member of the Senate, to the best of his/her ability, should "inform other members of all relevant extraordinary and significant facts that directly affect an individual, organization or company benefitting from the proposal."

## Employment

### Panel hears from insurance industry

The Injured Workers' Compensation Subcommittee, Mon., Mar. 30, heard an overview of the workers' compensation system from the insurance industry's perspective.

Robert Johnson, representing the Insurance Federation of Minnesota, said the special compensation fund assessments levied

on insurance companies and self-insuring employers cost the industry \$34 million in 1986.

The assessments, in the form of twice-yearly billings to insurers, are made to cover the claims owed by insolvent insurance companies. Johnson explained that when an insurer cannot meet their claims, the special compensation fund, administered by the Dept. of Labor and Industry, covers the claim and then bills the insurance industry for the coverage. According to Johnson, the assessments directly contribute to the number of insurers becoming insolvent.

Insurance premium costs have risen 40-45 percent since passage of the 1983 Workers' Compensation Law and the resultant assessments and increased administrative costs, Johnson said.

### **Workers' comp reform plan heard**

The Employment Committee heard two proposals for changes in the workers' compensation system at the Tues., Mar. 31, meeting.

Commissioner of the Dept. of Labor and Industry Ray Bohn gave an overview of the departmental proposal, embodied in S.F. 4 sponsored by chair Florian Chmielewski (DFL-Sturgeon Lake).

Goals of the proposal, as outlined by Bohn, are to simplify the system and eliminate delays in delivering benefits to the injured worker; reduce the program costs incurred by employers and insurance companies; lessen the number of administrative conferences; and modify the triple-track system of handling benefit claims to only one track.

The committee continued discussion on S.F. 4, Thurs., Apr. 2. Bohn and Jay Bananev, assistant labor and industry commissioner, began a section by section explanation of the bill, making it through one-fourth of the document.

The committee adopted one amendment to the measure which raises the penalty for qualified rehabilitation consultants found violating rules from \$100 to \$1,000.

Changes provided in the bill include creation of the office of administrative hearings, creates an advisory council, changes the rehabilitation review panels functions, gives compensation judges authority to hear appeals and provides that the commissioner and chief administrative law judge provide continuing education and various training for workers' compensation judges.

Other committee action taken Apr. 2 included the approval of two bills. S.F. 1232, authored by Sen. Sam Solon (DFL-Duluth), provides several exceptions to steam turbine regulations and S.F. 1237, authored by Sen. Linda Berglin (DFL-Mpls.), requires that employers providing health care coverage for their employees make timely payments to the insurer and provides that if the employer drops the health coverage, the employee be notified. The measure also provides a penalty for actual damages and attorney fees for violations of the law. Both bills were sent to the Senate Floor.

### **Environment and Natural Resources Bill adds funds to RIM program**

More money would be added to the Reinvest in Minnesota program, under a measure advanced by the full committee Tues., Mar. 31. Sponsored by Sen. Steven Novak (DFL-New Brighton), the measure, S.F. 841, generates about \$36.5 million from the sale of bonds to finance various activities designed to enhance Minnesota's wildlife resources.

From the total amount, \$16.5 million of the bond proceeds would be appropriated to the Dept. of Natural Resources. The money would be used to improve fish and wildlife habitat, acquire and preserve native prairie land, and fund aspen recycling efforts. Another \$22.4 million would fund programs administered by the Dept. of Agriculture. Most of the money would fund the conservation reserve program, while some of the funds would be distributed among soil and water conservations districts.

The bill was referred to the Agriculture Committee.

The metropolitan counties would be able to adopt ground water plans, according to another bill advanced by the committee. The measure, S.F. 353, carried by Sen. Tad Jude (DFL-Maple Grove), permits the counties to delegate preparation of the plan to the soil and water conservation districts. According to Jude, outstate counties have had this authority, and the bill extends the privilege to metro counties.

The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), also approved the following measures: S.F. 715 (Moe, R.D.) permitting the sale of tax-forfeited lots bordering public waters in East Grand Forks; S.F. 345 (Jude) prohibiting persons from applying the pesticide chlordane or its derivative heptachlor within the state; S.F. 183 (Samuelson) allowing persons licensed to drive in Minnesota to cross highways with a snowmobile. These bills, including S.F. 353, were referred to the Senate floor.

### **Subcommittee okays recreation bonding bill**

The Public Lands and Waters Subcommittee Tues., Mar. 31, approved a \$104.8 million bonding bill to finance outdoor and recreational improvements. The measure, S.F. 1105, sponsored by subcommittee chair Sen. Steven Novak (DFL-New Brighton), was referred to the full committee for further consideration.

Under the program, the Dept. of Natural Resources would receive \$38 million. The funds would help finance dam safety projects; improvements to state parks, recreational areas and state trails; and the acquisition of wildlife management areas. In addition, the Metropolitan Council would receive \$31 million to improve metropolitan recreational areas, which include regional parks and park reserves.

The bill also funds the development of amateur athletic training facilities in the cities, suburban and outstate areas.

A bill establishing procedures for the diversion of water in Minnesota to, possibly, water-poor states also gained the subcommittee's approval Tuesday. The measure, S.F. 1092, requires the Dept. of Natural Resources to consult with administration officials in the Great Lakes states and Canadian provinces before permitting diversion of water from Lake Superior that exceeds five million gallons per day (averaged in any 30-day period). If objections to the diversion exist, the commissioner would attempt to seek a mutually agreeable solution. The bill, sponsored by Sen. Gerald Willet (DFL-Park Rapids), further prohibits the department from permitting diversion of water in excess of two million gallons per day (averaged over 30 days) from a water basin until it is determined that the water remaining in the basin of origin is adequate to meet the basin's "water resources needs during the specified life of the consumptive use." The provision also requires legislative approval of the diversion.

Three additional bills gained the subcommittee's approval: S.F. 1276 (Johnson, D.J.) authorizing the sale of tax-forfeited land in Lake County to the city of Two Harbors; S.F. 949 (Chmielewski) making uniform the conditions of appropriations for construction of conservation facilities; and S.F. 776 (DeCramer) creating a state board of water and soil resources.

### **Petroleum clean-up aid gains**

The Environment and Natural Resources Committee okayed a bill Wed., Apr. 1, establishing a fund to help reimburse persons cleaning up petroleum spills that resulted from leaky tanks. The measure, S.F. 536, is designed to promote corrective action to protect the environment and to help owners of large petroleum tanks acquire insurance against pollution liability.

According to the bill, distributors of petroleum would have to pay a fee of \$10 for every 1,000 gallons of gasoline provided. The money would be placed in the fund, which would be administered by a newly-created board. To help owners of leaky tanks clean up the spills, the fund would reimburse them 75 percent of occurred expenses that exceed \$10,000 and fall below \$100,000. The measure was sent to the Governmental Operations Committee.

The committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), advanced two other bills Wednesday. S.F. 678, sponsored by Sen. Steven Novak (DFL-New Brighton), allows the Rice Creek Watershed District to increase its administrative fund amount to \$200,000; and S.F. 943 (Johnson, D.J.) adds another four years to the term of the Voyageurs National Park Council.

### **Finance**

#### **Division supports tax transfer proposal**

The Division on Agriculture, Transportation and Semi-State Agencies okayed a bill Wed., Apr. 1, asking the voters in the 1988 general election if the state constitution should require that the

# Committee Capsule

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motor vehicle excise tax proceeds be solely used for highway and transit funding. In past years, the tax proceeds have helped balance the state's budget rather than fund the state's highway and transit systems, and the governor proposed to use the tax proceeds to eliminate the budget shortfall.

If the proposed constitutional amendment is supported by the voters, 75 percent of the tax proceeds would be dedicated to the highway user tax distribution fund and 25 percent to a transit assistance fund. Bill sponsor Sen. Gary DeCramer (DFL-Ghent), said the measure would stabilize highway funding. The bill, S.F. 36, was referred to the full committee.

In other action this week, the four divisions on the Finance Committee continued working on preparing the Senate's budget proposal for the 1988-89 biennium.

## General Legislation and Public Gaming

### Metro harness race track advances

The Racing Commission could authorize construction of another horse racetrack in the Metropolitan area, but it could only be used for harness racing, under a bill advanced by the committee Wed., Apr. 1. Sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), the measure, S.F. 863, requires the facility to be built by private funds because no public assistance is authorized.

In addition, the measure requires the track to be built more than 25 miles from Canterbury Downs. Furthermore, the facility could not be owned by a governmental entity or nonprofit organization. The proposal was referred to the Senate Floor.

A bill authorizing competition for an official state song also gained committee approval Wednesday. Sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), the measure, S.F. 1025, authorizes a \$5,000 cash award for the winner of the competition. The bill states that the winner must be a resident of the state, and the lieutenant governor must report the results of the competition by January 1, 1988.

## Governmental Operations

### DEED reorganization debated

Members of the Governmental Operations Committee devoted the entire Thurs., Apr. 2, to discussion of a bill that would reorganize and rename the Department of Energy and Economic Development. The measure, S.F. 1203, authored by Sen. William Luther (DFL-Brooklyn Park), transfers the energy division to the Department of Public Service, and changes the name of the Department of Energy and Economic Development to the Department of Trade and Economic Development. Commissioner David Speer appeared before the committee, chaired by Sen. Don Moe (DFL-St. Paul), to outline the duties of the department under the reorganization plan and to answer questions about some activities of the department.

According to Speer, the reorganization calls for the department to be divided into five divisions: the Trade Office division; the business promotion and marketing division; the community development division; the Tourism Office; and the Office of Science and Technology. In addition, the department would have two support divisions, one for policy analysis and the other for administration. Speer also spoke on anticipated interaction between the Department of Trade and Economic Development and the Greater Minnesota Corporation, should S.F. 1 become law.

Other provisions of the bill change the Minnesota World Trade Center Board into a public corporation, change its governing board and establish the world trade center institute as a joint venture of the corporation and the Minnesota Trade Office. In addition, the measure makes some changes in the organizational structure and duties of the Agriculture Department, designates the Department of Jobs and Training as the administrative agency for certain juvenile justice and delinquency prevention programs and provides for grants for youth intervention programs.

Action on the measure and on S.F. 1 is scheduled for Tues., Apr. 7.

## Health and Human Services

### Bills added to omnibus welfare measure

The Health and Human Services Income Maintenance and Welfare Reform Division, chaired by Sen. Marilyn Lantry (DFL-St. Paul), met Thurs., Mar. 26 and Fri., Mar. 27, to consider several bills that were subsequently adopted as portions of the omnibus welfare reform package being assembled by the division.

One of the more controversial bills, S.F. 242, provides for the mandatory withholding of child support payments. The measure, sponsored by Sen. Linda Berglin (DFL-Mpls.), was amended to require the immediate withholding of support payments rather than a two month escrow, as originally specified in the bill.

In addition, the division began work on the omnibus bill, S.F. 968.

### Cigarette tax increase debated

Members of the full Health and Human Services Committee met Tues., Mar. 31, and debated a measure that would earmark the proceeds from a 18 cent per pack cigarette tax hike for health research and a sliding fee health care insurance program for the needy. The bill, S.F. 1210, sponsored by Sen. Linda Berglin, provides for the tax increase and for the sliding fee health care program. In addition, the bill would set up a Health Care Research Institute to coordinate and encourage research. According to Commissioner of Health, Sister Mary Madonna Ashton, increasing the cigarette tax would serve a dual purpose. First, money for needed health programs would be obtained. Secondly, said Ashton, increasing the cigarette tax is a public health policy matter in its own right because of the corresponding decrease in the number of smokers.

Controversy over the bill centered on a provision that would set up the Health Care Research Institute. Sen. Duane Benson (IR-Lanesboro), questioned the public policy of establishing a quasi-public corporation under the auspices of state government. An amendment authored by Sen. Marilyn Lantry (DFL-St. Paul), altered the language to authorize a study of the need for the research institute.

The bill was approved and re-referred to the Committee on Taxes and Tax Laws.

Committee members also approved a bill prohibiting pregnancy counseling services from engaging in deceptive advertising practices. S.F. 283, authored by Sen. Allan Spear (DFL-Mpls.), originally required that pregnancy counseling services provide disclosure of the kinds of services provided. However, committee members amended the bill to delete the disclosure provisions. According to Spear, the bill is a consumer protection measure designed to provide the information necessary to make informed decisions.

In other action, committee members approved six additional bills and referred them to other committees. S.F. 908 (Beckman) establishes a community services conversion project. S.F. 945 (Berglin) provides for the transfer of funds from the special revenue account to the public health fund. S.F. 946 (Berglin) alters the allocation of fiscal disallowances based on error rates. S.F. 712 (Berglin) establishes limits for rates under the child care sliding fee program. All four measures were re-referred to the Finance Committee.

S.F. 834 (Wegscheid) establishes the office of assistant commissioner of mental health and establishes a state advisory council on mental health. The bill was re-referred to the Committee on Governmental Operations. S.F. 810 (Lantry) requires that court-ordered group health insurance benefits be paid to providers and establishes third party payer liability. S.F. 810 was re-referred to the Judiciary Committee.

### Ombudsman for mentally ill gains

The Social Services and Government Administration Subcommittee met Wed., Apr. 1, and endorsed the bill establishing the office of ombudsman for the mentally ill. S.F. 514, sponsored by Berglin, details the powers and duties of the office, requires the reporting of abuse and neglect to the office, and creates a medical review board. Subcommittee members, chaired by Pat Piper (DFL-Austin), also endorsed two additional bills. S.F. 1008 (Wegscheid),

provides for the regulation of chiropractic, provides for peer review of services and fees, provides grounds for license revocation and prescribes penalties. S.F. 1085 (Peterson, D.C.), establishing a board of social work examiners and providing for the licensing and regulation of social workers, was advanced to the full committee with no recommendation. Subcommittee members also began discussion of S.F. 747 (Peterson, R.W.) establishing a system of community based residential programs for the mentally retarded. The measure was laid over for purposes of amendment. S.F. 1113 (Piper) providing for the regulation of the licensure of day care programs for children and for adults with certain disabilities was advanced to the full committee.

### Health Department bill gains

Members of the Health and Health Financing Subcommittee met Wed., Apr. 1, and advanced a bill making numerous changes in statutes relating to the Department of Health. Controversy over the measure, S.F. 1048, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), centered on provisions intended to cope with the spread of AIDS. Specifically, the bill sets forth provisions relating to the noncompliant behavior of persons with communicable diseases who pose a public health threat. The bill restructures the authority of the commissioner of health to commence legal action against the carriers of communicable diseases.

Under the bill, the commissioner may issue a directive to a carrier who constitutes a health threat to others. The directive may require a carrier to cooperate with health authorities in efforts to prevent or control transmission including participation in education, counseling or treatment programs. If the carrier does not comply with the directive, the commissioner may then commence legal action. Upon a finding by the court that the respondent has engaged in noncompliant behavior, the court may order that the respondent must: participate in a designated education program; participate in a designated counseling program; participate in a treatment program; undergo medically accepted tests or treatment; notify or appear before designated health officials for verification of status; cease and desist conduct which constitutes a health threat to others; live part time or full time in a supervised setting; be committed to an appropriate institutional facility for the period and under the conditions set by the court; or any combination of these remedies. The bill also specifies that the least restrictive remedy be used to achieve the desired purpose of preventing or controlling communicable disease.

### Judiciary

#### Division activity increases

The impending committee deadline prompted even more activity on the part of the two major Judiciary Committee divisions. Members of the Civil Law Division, met Fri., Mar. 27, Mon., Mar. 30, and twice on Wed., Apr. 1. The division, chaired by Sen. Tad Jude (DFL-Maple Grove), approved a number of bills and advanced them to the full committee. S.F. 882, authored by Sen. Linda Berglin (DFL-Mpls.), was the first of those measures. The bill authorizes the court with jurisdiction over an eminent domain proceeding to compel occupants of condemned real estate to deliver possession. The measure makes it easier for the petitioner to gain possession of the condemned property. Division members also began discussion on S.F. 126, carried by Sen. A.W. "Bill" Diessner (DFL-Afton), establishing procedures for consent to health care and providing for creation of a durable power of attorney for health care. Division members discussed but took no action on S.F. 577, authored by Sen. Ember Reichgott (DFL-New Hope), modifying provisions relating to the merger and exchange of corporations and S.F. 1081, authored by Spear, allowing the court to consider the effect of the actions of an abuser on a child, when domestic abuse occurred between the spouses, in making child custody determinations.

The evening division meeting on Wed., Apr. 1, saw the endorsement of S.F. 1081 and S.F. 577. In addition, members of the division approved S.F. 855, carried by Berglin, providing for pension plan information in marriage dissolution proceedings and for a procedure in valuing pension benefits or rights. S.F. 896, authored by Sen. William Luther (DFL-Brooklyn Park), providing for the probate award of property with sentimental value to surviving

children was also approved.

Earlier in the day the division approved three other measures. S.F. 1007, sponsored by Cohen, provides for Court of Appeals representation on the Sentencing Guidelines Commission, clarifies the membership of judicial appeal panels, authorizes the Supreme Court to adopt rules and permits retired judges to solemnize marriages. S.F. 156, authored by Luther, provides for the adoption of an article of the Uniform Commercial Code that governs leases. S.F. 868, authored by Spear, modifies standards and procedures for the appointment of public guardians for mentally retarded persons and provides for the powers and duties of public guardians.

The Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), also held several hearings throughout the week. Friday, Mar. 27, division members endorsed two bills authored by Sen. Ember Reichgott (DFL-New Hope). S.F. 828 provides for the modification of child abuse reporting and investigation requirements. S.F. 915 prohibits harassment on private property, prohibits following or stalking with intent to harass and prohibits harassing telephone calls or letters by making the prohibited activities misdemeanors.

The Mon., Mar. 30, meeting resulted in the endorsement of three additional bills. S.F. 1028, authored by Sen. Allan Spear (DFL-Mpls.) makes it a felony to kill a police dog involved in law enforcement investigation or apprehension and makes it a gross misdemeanor to cause a police dog great bodily harm while the dog is involved in an investigation or apprehension procedure. S.F. 670, authored by Sen. Michael Freeman (DFL-Richfield), provides for the detention and confinement of minors subject to prosecution as adults. S.F. 1088, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), limits the amount of time juveniles may be held in adult jails.

The division also met Wed., Apr. 1, and advanced two measures. S.F. 1097, authored by Sen. Donna Peterson, requires courts to issue written orders for conditional release in domestic assault cases and provides for notice to the alleged victim of the conditional release. In addition, the measure specifies the immediate arrest of a person violating the conditions of release. Division members also advanced a measure requiring that peace officers be licensed as a prerequisite to exercising the authority of a peace officer. In addition, the bill, S.F. 1199, also prohibits persons from misrepresenting themselves as peace officers or part-time peace officers. The measure is authored by Sen. Allan Spear (DFL-Mpls.).

### Local and Urban Government

#### Bidstead bill advances

In an attempt to establish new residences within Koochiching County, the Local and Urban Government Committee, Thurs, Mar. 26, approved S.F. 711, a bidstead bill.

Sen. Bob Lessard (DFL-Int'l Falls), the bill's author, said the availability of 40 acre parcels of land for homesteading will benefit the area by an increase in the tax base and expanding employment opportunities in the area. Individuals making a commitment to live on the land will be required to homestead for 10 years before receiving the deed, according to the bill.

The bill also provides that an economic development authority, under jurisdiction of the county board, will promote the program and that property taxes may be levied on the homesteaded land. The bill was re-referred to the Economic Development and Housing Committee.

S.F. 407, authored by Sen. Darril Wegscheid (DFL-Apple Valley), authorizing cities and counties to impose an inspection fee for food vending machines, was approved and sent to the Senate Floor, as was S.F. 904 (Metzen) which establishes airport area building codes.

The panel also approved S.F. 782 (Solon), allowing St. Louis County to hire additional staff, and S.F. 1067 (Wegscheid), allowing discharging of charter commissions. Both bills were directed to the Consent Calendar.

A sixth bill, S.F. 997 (Langseth) making zoning changes in the City of Sabin, was approved and re-referred to the Taxes and Tax Laws Committee.

#### County levy increases okayed

Three separate bills allowing Hennepin, Ramsey and Dakota Counties to issue general obligation bonds for capital improvements

# Committee Capsule

were approved at the Mon., Mar. 30 Local and Urban Government Committee.

S.F. 623 (Kroening) allows a one mill levy equaling approximately \$9 million for Hennepin County; S.F. 925 (Marty) allows a three mill levy equaling about \$9 million for Ramsey County; and S.F. 773 (Metzen) authorizes Dakota County to levy three mills equaling approximately \$4.8 million. All three bills were re-referred to the Taxes and Tax Laws Committee.

A measure allowing townships to adopt general welfare powers similar to those granted to statutory cities also gained approval. S.F. 225, authored by Sen. Betty Adkins (DFL-St. Michael) was amended to allow township electors to choose which, if any, general welfare powers they will adopt. The bill was sent to the General Orders calendar.

The panel, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved and re-referred S.F. 748 to the Tax Committee. The bill, authored by Sen. Michael Freeman (DFL-Richfield), allows the city of Bloomington to establish a special levy for highway sound barriers.

S.F. 725 (Frederick) was approved with a request to place it on the Consent Calendar. The measure gives the Minnesota Municipal Board broader powers in determining taxation amounts on annexed areas.

## Airport commission bill approved

The Metropolitan Government Subcommittee, chaired by Sen. Darril Wegscheid (DFL-Apple Valley), approved one measure and laid over three others, all concerning the Metropolitan Airports Commission, when the panel met Tues., Mar. 31.

Sen. Michael Freeman's (DFL-Richfield) measure, S.F. 923, makes changes in the composition of the Metropolitan Airport Commission membership. The new language states that the governor will appoint a commission chair who will hold the post for three years. Metropolitan area mayors, or their designates, will continue to hold seats on the commission. The bill was referred to the Local and Urban Government Committee.

## Public Utilities and Energy

### Testimony on phone deregulation continues

Public Utilities and Energy Committee members continued the discussion of two measures relating to telephone deregulation Tues., Mar. 31. Testimony was heard primarily on S.F. 144, a bill providing for Inter-LATA interexchange telephone companies deregulation. However, much of the testimony also related to S.F. 677, a measure providing for a three tiered regulatory system for competitive telecommunications services deregulation.

Ken Nickolai of the Utilities Division of the Public Service Department outlined the differences between the two measures. According to Nickolai, under S.F. 144, authored by Sen. Gene Waldorf (DFL-St. Paul), the legislature would declare that the Inter-LATA toll market was sufficiently competitive to fully protect consumers. Under S.F. 677, sponsored by Sen. Ron Dickich (DFL-Hibbing), the Public Utilities Commission would determine the competitiveness of the Inter-LATA toll market and would make a decision within 60 days, or 8 months if a contested case hearing is needed. S.F. 144 restricts the PUC's regulatory authority to reviewing price changes, although the PUC could adjust rates if the rates are excessive. Under S.F. 677, the three tiered regulatory system would be in effect with complete rate deregulation if the firm faces effective competition; partial rate deregulation if the firm faces emerging competition with the PUC having the ability to adjust rates if they are excessive or result in subsidization; and traditional rate base regulation if the firm is a monopoly service provider.

In addition, the two bills differ in price list filings, complaint and investigatory authority, and re-regulation. No action will be taken on either bill until testimony is completed.

### Resolution approved

A resolution urging the Federal Energy Regulatory Commission to deny any application for additional hydropower generation at the Falls of St. Anthony in Minneapolis was endorsed by members of

the committee, Thurs., Apr. 2. The resolution, S.F. 526, puts the state on record as saying that the St. Anthony Falls area, because of historical, environmental and developmental reasons, is not a suitable site for further hydropower development. The bill's author, Sen. Donna Peterson (DFL-Mpls.), said that the resolution recognizes the sensitivity of NSP to environmental concerns but recognizes the opposition on the part of the Hennepin County Park Board and others to altering the flow of water over the falls area.

In other action, the committee also approved S.F. 1072. The measure, authored by Sen. Pat Piper (DFL-Austin), requires the PUC to develop and implement a program to orient new members to the commission, and to provide continuing education to commission members; increases from 15 to 90 days the time in which the PUC must conduct a hearing when there is a complaint involving a territorial dispute between two electric utilities; and provides that a utility may buy, sell, rent or lease a power plant costing less than \$1 million without PUC approval.

The panel also began discussion of S.F. 875, providing for the appropriation of oil overcharge funds for energy conservation programs. The measure is sponsored by Sen. John Marty (DFL-Roseville).

## Taxes and Tax Laws

### Recodification bill gains

The Subcommittee on Economic Development Taxes, chaired by Sen. Ember Reichgott (DFL-New Hope), approved four measures at the Tues., Mar. 31 meeting.

S.F. 683, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allocating bonding authority for debt financing for local and state governments was approved and amended onto another of his bills, S.F. 170, which is a major recodification of existing local economic development laws. S.F. 170 concerns housing and redevelopment authorities, port authorities, underground space development, enterprise zones, tax increment financing and economic, municipal and industrial development authorities.

The subcommittee also approved S.F. 821, another Pogemiller bill proposed by the State Bond Council, which authorizes the issuance of taxable state general obligation bonds and state agency bonds, and H. F. 362, sponsored by Reichgott, which authorizes Hennepin County to create a county housing and redevelopment authority.

A fifth measure, S.F. 506, authored by Sen. Steven Morse (DFL-Dakota), pertaining to housing issues, was laid over due to time constraints.

### Sales tax bills heard

Two major elements of the session's tax reform proposals—the extension of the sales tax to services and a miscellaneous sales tax package—were before the Sales Tax Division, Wed., Apr. 1.

Sen. Douglas Johnson (DFL-Cook), sponsor of S.F. 1278, said the measure extending the sales tax to services "is in the direction that this legislature and other legislatures around the country are moving."

Dept. of Revenue Commissioner Tom Triplett presented a summary of the fiscal impact of extending the tax and the problems the department anticipates in implementing the tax.

S.F. 1278 will be heard again Wed., Apr. 8.

Johnson also gave an overview of S.F. 546, the Miscellaneous Sales Tax Bill.

The bill would increase the state tax base by \$258.4 million over the biennium by delaying the phase-out of the telephone gross earnings tax and extending other telephone taxes; increasing cigarette taxes; and extending the fuel tax to locomotive fuels. Other substantial tax gains would be from airports and mortgage mergers.

The division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), will also hear S.F. 546 Apr. 8.

## Transportation

### Parking violation fine increased

Persons who park their vehicles in a handicapped parking zone without a handicapped certificate or license plate would be fined \$500 for the violation according to a plan approved by the

Transportation Committee, Thurs., Mar. 26. S.F. 451, authored by Sen. Donna Peterson (DFL-Mpls.), increases the violation penalty from a maximum of \$100 to \$500, establishes a handicapped certificate renewal system, and enforces restrictions on special license plate eligibility. The bill was sent to the Senate floor.

In other action, the committee endorsed two other bills. S.F. 927, authored by Sen. Robert Schmitz (DFL-Jordan), provides for a medical alert identifier on driver licenses or identification cards. S.F. 637, sponsored by Sen. Gary DeCramer (DFL-Ghent), establishes the State Institutions Town Road Account, providing for the availability of state aid for town road maintenance. S.F. 927 was sent to the Senate Floor and S.F. 637 was re-referred to the Finance Committee.

### **Hazardous waste penalty okayed**

A bill that would require hazardous waste transporters to obtain a license from the Minnesota Department of Transportation (Mn/DOT), was approved by the Transportation Committee Tues., Mar. 31. S.F. 508, authored by Sen. Steven Novak (DFL-New Brighton), requires that applicants pay a fee of \$500 for each three year period and that the fine for violation could be as much as \$10,000. S.F. 508 was re-referred to the Environmental and Natural Resources Committee.

Committee members, chaired by Sen. Clarence Purfeerst (DFL-Faribault), approved three other bills at the meeting. H.F. 29, sponsored by Sen. Don Frank (DFL-Spring Lake Park), requires that a child passenger restraint system be used by motor vehicle operators when transporting children under the age of four years. The measure amends current law by changing the requirement from "parent or legal guardian" to "motor vehicle operator." According to Frank, persons would be fined no more than \$25 if the provision is violated. H.F. 29 was sent to the Senate floor.

S.F. 474, authored by Sen. Sam Solon (DFL-Duluth), and re-referred to the Finance Committee, allows non-profit charities and certain educational institutions who own motor vehicles to obtain tax exempt license plates. S.F. 888, carried by Sen. Dean Johnson (IR-Willmar), permitting school buses in the city of Melrose to pass through railroad grade crossings without stopping, was sent to the Senate floor.

## **Veterans**

### **Bills placed on Consent Calendar**

The Veterans Committee approved two non-controversial bills Tues., Mar. 31, and placed them on the Senate Consent Calendar. S.F. 721, sponsored by Sen. Joe Bertram (DFL-Paynesville), honors Minnesota veterans who are missing in action or prisoners of war from the Korean or Vietnam conflict. The measure requires a plaque to be placed on the Capitol Grounds in memory of their service. The second bill, H.F. 424, also carried by Bertram, allows the Adjutant Genral to delegate to subordinate employees the task of administering and executing contracts.

## **Floor action**

### **Bill secures access to college for disabled**

Colleges and other post-secondary institutions would have to ensure that disabled persons have access to the classes in which they are enrolled, according to a bill passed by the Senate Thurs., Mar. 26. The bill, H.F. 369, also requires the institutions to eliminate barriers preventing disabled persons from partaking in special services.

Senate author Sen. Allan Spear (DFL-Mpls.) told Senate members that the bill does not necessarily require institutions to make building modifications to assure access into every classroom. Rather, he said, the courses would have to be conducted in areas accessible to disabled persons.

The commissioner of the Dept. of Natural Resources will continue to have the authority to grant two-deer licenses, under another bill gaining final passage Thursday. H.F. 400, carried by Sen. Gene Merriam (DFL-Coon Rapids), states that the commissioner may determine in what areas two deer may be taken and under

what conditions. And, the Senate also gave final passage to a bill allowing high school foreign exchange students to be issued a license for taking deer by archery. The bill, S.F. 73, is sponsored by Minority Leader Duane Benson (IR-Lanesboro).

A bill allowing counties to issue seasonal liquor licenses also gained Senate support. Sen. LeRoy Stumpf (DFL-Plummer), sponsor of the bill, S.F. 291, said the measure would help the tourism industry meet the summer demand. Municipalities could allow ethnic restaurants with 3.2 beer and wine licenses to also serve strong beer, according to another bill given final passage. S.F. 128, sponsored by Spear, also requires the city of Duluth to assure that in the future license extensions be awarded to only those establishments earning 60 percent of their income from food sales as required under the bill.

Other bills gaining final passage Thursday include: S.F. 133 (Lessard) asking the President and Congress to exempt nonprofit organizations from the federal excise tax and the unrelated business income tax on charitable gambling it conducts; S.F. 440 (Piper) removing some of the more substantive gender references in Minnesota statutes; S.F. 333 (Merriam) permitting field trials where dogs chase raccoons up a tree to be held during certain months of the year; and S.F. 397 (Peterson, D.C.) preventing a city from reapportioning its wards before the legislative districts are reapportioned.

These bills earned the Senate's preliminary approval Mon., Mar. 23. Also Monday, the Senate gave its preliminary okay to S.F. 182, sponsored by Sen. Marilyn Lantry (DFL-St. Paul). The bill requires employers to inform their workers when filing bankruptcy

### **Seat belt bill passes with 34 votes**

The bill enacting a \$25 fine for violating the mandatory seat belt law passed the Senate Mon., Mar. 30, on a 34-30 vote. The bill must now win the House of Representative's approval and be signed by the governor before it becomes law.

Sponsored by Sen. Don Frank (DFL-Spring Lake Park), the bill, S.F. 121, excludes the violation from a person's driving record. The Senate adopted that provision last week to assure that the violations do not cause insurance premiums to rise.

Other bills approved last week also gained final passage Monday. They include: H.F. 23 (Piper) Requiring hospitals to establish procedures for identifying potential organ donor and for determining whether family members consent to donation; H.F. 202 (Reichgott) modifying personal liability of corporate directors; S.F. 420 (Peterson, D.C.) allowing peace officers hired by the Metropolitan Transit Commission to make arrests within the metropolitan area; and S.F. 324 (Cohen) including highway workers in the state's DWI and applied consent law.

Three bills on the Senate Consent Calendars earned the Senate's final approval: H.F. 364 (Laidig) increasing the limit on the permanent care and improvement fund; H.F. 348 (Johnson, D.J.) permitting the sale of specified land in Cook County; and H.F. 11 (Johnson, D.J.) selling certain tract of land in St. Louis County.

A bill calling for the replacement of state license plates every six years was dramatically changed Monday when the Senate accepted an amendment keeping Minnesota's current system of lifetime plates. Sen. Marilyn Lantry (DFL-St. Paul), author of the proposed six-year plates, progressed her measure, S.F. 63, in hopes of getting the amendment removed at a later date.

Sen. Gregory Dahl (DFL-Coon Rapids), sponsor of the lifetime-plate amendment, said Lantry's proposal would cost Minnesota car owners an additional \$4 million and would cause them to "take perfectly good license plates off their cars." Dahl's amendment won on a 33-30 vote.

The Senate did give preliminary approval to S.F. 27, sponsored by Sen. James Pehler (DFL-St. Cloud). The bill appropriates \$500,000 to the city of St. Cloud for street and pedestrian improvements.

In a brief session Wednesday, Apr. 1, the Senate granted final passage to the following bills: S.F. 279 (Chmielewski) raising the debt limit for the city of Brook Park; S.F. 499 (Jude) making changes in laws relating to real property; S.F. 117 (Dicklich) authorizing St. Louis County to issue one off-sale liquor license; and S.F. 245 (Langseth) allowing the city of Moorhead to issue an on-sale intoxicating liquor license.

# Preview

Monday, April 6, 1987

**Education Committee, Chair: James Pehler**

8:00 AM Room 15 Capitol

**Agenda:** S.F. 912-Hughes: Expanded offerings at Metro State Univ. S.F. 911-Hughes: Requiring school districts to teach braille. S.F. 929-Morse: Adding post secondary vocational technical representatives to UFARS and ESV Council. S.F. 920-Peterson, D.C.: Establishing local literacy policies. S.F. 775-Marty: Program in adult vocation occupational literacy training. S.F. 1012-Merriam: Due process termination or nonrenewal for licensed athletic coaches through grievance. S.F. 899-Chmielewski: Establishing Fond du Lac higher education center.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** To be announced.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** S.F. 200-Dahl: Anoka county highway 10. S.F. 669-DeCramer: New fees for large truck permits, 110 ft. S.F. 90-Novak: Pipeline safety act.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1235-Peterson, D.C.: Prohibiting public sex, and repealing laws on private, consensual sex.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 Noon Room 15 Capitol

**Agenda:** S.F. 765-Mehrkens: Port authority for the City of Cannon Falls. S.F. 898-Chmielewski: Rural initiative program. S.F. 935-Dahl: Emergency shelter for manufactured houses. S.F. 468-Reichgott: Money to fund a non-profit institute for invention and innovation.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 259-Jude: Bullet-proof vests. S.F. 849-Diessner: Insurance, autos, cities. S.F. 1155-Schmitz: Scott County bonding. S.F. 11-Chmielewski: Moose Lake; fire protection. S.F. 1298-Frederickson: Redwood Falls; assessments. S.F. 1295-Berglin: Mpls. conventions/tourism. S.F. 923-Freeman: Composition of MAC. S.F. 1275-Reichgott: Hennepin County; libraries.

**Employment Subcommittee on Injured Workers Compensation,**

Chair: A.W. "Bill" Diessner

1:00 PM Room 112 Capitol

**Agenda:** Duane Harves will speak about workers compensation.

Senate will be in session at 2:00 PM

**Education Committee Education Aids Division, Chair: Randolph Peterson**

3:00 PM Room 15 Capitol **Agenda:** If not completed Article IV - 2, Community education. Article II, Transportation. Article III, Special programs. Article VIII, Libraries.

**Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg**

3:00 PM Room 107 Capitol

**Agenda:** S.F. 919-Samuels: Limit for taking of crappies. S.F. 961-Laidig: Mechanical release bows during archery season. S.F. 812-Johnson, D.J.: Contributions for game and fish improvement. S.F. 1022-Chmielewski: One deer by each

method of hunting in any year. S.F. 1038-Willet: Amending laws on the taking of elk. S.F. 1039-Willet: Timber wolf as official state animal.

**Finance Committee State Departments Division, Chair: Carl**

Kroening

3:00 PM Room 125 Capitol

**Agenda:** Cont. of the Capital budget overview if necessary.

**Economic Development and Housing Committee, Chair: Don Frank**

6:30 PM Room 123 Capitol

**Agenda:** To be announced.

**Agriculture Committee, Chair: Charles Davis**

7:00 PM Room 112 Capitol

**Agenda:** To be announced.

**Local and Urban Government Committee, Chair: Robert Schmitz**

7:00 PM Room 107 Capitol

**Agenda:** S.F. 1299-Bernhagen: Hutchinson; transfer of Chief of Police jurisdiction. Any bills not heard at noon.

**Tuesday, April 7, 1987**

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** S.F. 4-Chmielewski: Workers comp.

**Governmental Operations Committee, Chair: Donald Moe**

8:00 AM Room 15 Capitol

**Agenda:** S.F. 167-Lessard: Zoo board bill. S.F. 1-Moe, R.D.: Greater MN Corporation. S.F. 19-Dahl: Greater MN Corporation. S.F. 1203-Luther: DEED reorganization, World Trade Center. S.F. 1260-Marty: Child care expenses. S.F. 802-Willet: Competitive bidding/state university. S.F. 836-Pehler: Land purchases/state university. S.F. 837-DeCramer: Science supplies/state university. Meeting will continue at 7:00 PM Room 112 if necessary.

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** S.F. 607-Bertram: Peace officer tire inspection. S.F. 313-Bertram: POW license plates. S.F. 862-Wegscheid: School bus drivers training. S.F. 1108-Novak: Special transportation service standards.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 990-Samuels: Little Falls temporary on-sale liquor license. S.F. 833-Solon: Health insurance. S.F. 292-Peterson, D.C.: Insurance coverage for hair prostheses. S.F. 1043-Luther: Risk retention groups. S.F. 1137-Luther: Regulates cancelation of insurance agents contracts.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1029-Marty: Program to provide communication impaired with phone devices. S.F. 1192-Marty: Utility service discontinuation. S.F. 1193-Marty: Misc. telephone provisions. S.F. 1194-Dicklich: Public utility rates review. S.F. 875-Marty: Energy conservation programs appropriations. S.F. 1191-Marty: Public Utility rate adjustment based on impact of tax reform act.

**Veterans Committee, Chair: Joe Bertram**

10:00 AM Room 107 Capitol

**Agenda:** Confirm William Gregg as Commissioner of Veterans Affairs. S.F. 33-Pehler: Vietnam Veterans, license plates. S.F. 241-Metzen: Vietnam Vet., license plates. S.F. 294-McQuaid: Pearl Harbor survivors.

**Commerce Subcommittee on Insurance**, Chair: William Luther  
12:00 Noon Room 123 Capitol

**Agenda:** S.F. 478-Luther: Omnibus insurance bill.

**Health and Human Services Subcommittee on Health and Health Financing**, Chair: John Brandl

1:00 PM Room 15 Capitol

**Agenda:** S.F. 612-Berglin: Nursing home moratorium exceptions. S.F. 998-Berglin: MA definition of vendors of medical care. S.F. 887-Berglin: Clarifies in-patient hospital rates. S.F. 872-Brandl: MA nursing home therapy services.

**Health and Human Services Subcommittee on Social Services and Government Administration**, Chair: Pat Piper

1:00 PM Room 125 Capitol

**Agenda:** S.F. 747-Peterson, R.W.: Community residential programs for mentally retarded. S.F. 1010-Berglin: Mentally retarded and related conditions.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 125 Capitol

**Agenda:** Budget allocations for community college system.

**Commerce Committee**, Chair: Sam Solon

4:30 PM Room 107 Capitol

**Agenda:** S.F. 18-Dahl: Used lemon car bill.

**Health and Human Services**, Chair: Linda Berglin

6:00 PM Room 123 Capitol

**Agenda:** S.F. 968-Lantry: Omnibus welfare reform bill. S.F. 1085-Peterson, D.C.: Board of Social Work Examiners. S.F. 514-Berglin: Ombudsman for mentally ill. S.F. 1048-Lantry: Nutrition data discretionary rather than mandatory, communicable diseases, etc.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

6:30 PM Room 120 Capitol

**Agenda:** S.F. 717-Berg: Pesticide registration and regulation. S.F. 1202-Pehler: Low level radio active waste facility. S.F. 508-Novak: Transportation of hazardous waste.

**Education Committee Education Aids Division**, Chair: Randolph

Peterson

7:00 PM Room 15 Capitol

**Agenda:** Article VI, other aids and levies.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

7:30 PM Room 125 Capitol

**Agenda:** Continuation of morning meeting.

### Wednesday, April 8, 1987

**General Legislation and Public Gaming Committee**, Chair: Bob

Lessard

8:00 AM Room 107 Capitol

**Agenda:** S.F. 326-Langseth: State property repair and criminal justice data communications. S.F. 54-Pehler: Creating Board of Examiners for fire protection services. S.F. 1112-Luther: Amateur sports commission.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** To be announced.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 619-Lantry: Mental illness information system. S.F. 670-Freeman: Detention of certified juveniles in adult jails. S.F. 1088-Merriam: Detention of juveniles in jails. S.F. 928-Merriam: Patient access to health records. S.F. 1081-Spear: Consideration of Domestic assault for child custody. S.F. 1097-Peterson, D.C.: Domestic assault bail conditions. S.F. 1175-Luther: Attorney client security fund. S.F. 1200-Spear: Marriage dissolution mediation study. S.F. 1204-Luther: Community dispute resolutions grants. S.F. 1205-Luther: Additional judgeships. S.F. 1247-Peterson, R.W.: Municipal tort procedures. S.F. 1323-Marty: Revisor's bill, court cases.

Senate will be in session at 12:00 Noon

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1008-Wegscheid: Regulation of Chiropractic. S.F. 1113-Piper: Licensure of day care and vulnerable adults. S.F. 612-Berglin: Nursing home moratorium exceptions. S.F. 998-Berglin: MA definition of vendors of medical care. S.F. 887-Berglin: In-patient hospital rates. S.F. 872-Brandl: Nursing home therapy services. S.F. 1040-Berglin: Demo project on employment for severely disabled. S.F. 1010-Berglin: Mentally retarded and related conditions. S.F. 962-Marty: Prohibits smoking in day care centers, etc. S.F. 175-Pogemiller: HMO exclusion disclosure.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 123 Capitol

**Agenda:** Budget allocations for U of M.

**Taxes and Tax Laws Committee Sales Tax Division**, Chair: LeRoy Stumpf

3:00 PM Room 15 Capitol

**Agenda:** S.F. 546-Johnson, D.J.: Misc. sales tax. S.F. 1278-Johnson, D.J.: Tax on services. Cont. of public testimony.

**Health and Human Services Committee**, Chair: Linda Berglin

6:00 PM Room 15 Capitol

**Agenda:** Cont. of afternoon meeting.

**Economic Development and Housing Committee**, Chair: Don Frank

6:30 PM Room 125 Capitol

**Agenda:** To be announced.

**Agriculture Committee**, Chair: Charles Davis

7:00 PM Room 118 Capitol

**Agenda:** To be announced.

### Thursday, April 9, 1987

**Employment Committee**, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 4-Chmielewski: Workers comp.

**Environment and Natural Resources Subcommittee on**

**Environmental Protection**, Chair: Gregory Dahl

8:00 AM Room 123 Capitol

**Agenda:** To be announced. If necessary meeting will continue at 6:30 PM Room 118 Capitol.

**Governmental Operations Committee**, Chair: Donald Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 281-Marty: Deputy registrars. S.F. 1174-Luther: Attorney General bill. S.F. 1151-Samuelson: Competitive bidding/subcontractors. S.F. 1159-Marty: Competitive bidding. S.F. 536-Novak: Petroleum cleanup bill.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 729-Frederickson, D.J.: Cont. hearing on ethanol. S.F. 343-Jude: Licensure of limousine services. S.F. 1145-Novak: Requiring vehicle weighing scales at sanitary land fills. S.F. 1100-Moe, D.M.: Regional transit.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 995-Wegscheid: Industrial loan and thrifts. S.F. 728-Luther: Disclosure of credit rates.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1267-Marty: Energy conservation investment loans eligibility expansion. S.F. 1268-Marty: Misc. energy provisions. S.F. 144-Waldorf: Inter-LATA interexchange telephone deregulation. S.F. 677-Dicklich: Telecommunications competitive deregulation.

**Economic Development and Housing Committee**, Chair: Don

Frank

12:00 Noon Room 15 Capitol

**Agenda:** To be announced.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
12:00 Noon Room 107 Capitol  
**Agenda:** To be announced.

**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division**, Chair: Randolph Peterson  
3:00 PM Room 15 Capitol  
**Agenda:** To be announced.

**Finance Committee State Departments Division**, Chair: Carl Kroening  
3:00 PM Room 125 Capitol  
**Agenda:** Overview State Departments budgets.

**Education Committee Education Aids Division**, Chair: Randolph Peterson  
5:00 PM Room 107 Capitol  
**Agenda:** To be announced.

**Health and Human Services**, Chair: Linda Berglin  
6:00 PM Room 123 Capitol  
**Agenda:** To be announced.

**Governmental Operations Committee**, Chair: Donald Moe  
7:00 PM Room 112 Capitol  
**Agenda:** S.F. 674-Moe, D.M.: Employee pay bill. S.F. 1150-Chmielewski: Civil Service disabilities. S.F. 1195-Dicklich: Comprehensive bidding for distressed cities. S.F. 1197-Dicklich: Martin Luther King Council S.F. 1261-Marty: State building code. S.F. 776-DeCramer: Merging water boards. Pension bills.

**Local and Urban Government Committee**, Chair: Robert Schmitz  
7:00 PM Room 107 Capitol  
**Agenda:** To be announced.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich  
7:00 PM Room 125 Capitol  
**Agenda:** Continuation of morning meeting.

**Judiciary Committee**, Chair: Allan Spear  
7:30 PM Room 15 Capitol  
**Agenda:** S.F. 1250-Peterson, D.C.: Hennepin County unlawful detainer procedures and fees. S.F. 1199-Spear: Unauthorized exercise of peace officer powers. S.F. 1007-Cohen: Judicial administration. S.F. 915-Reichgott: Criminal harassment. S.F. 896-Luther: Probate of sentimental property. S.F. 868-Spear: Public guardianship. S.F. 810-Lantry: Welfare liens. S.F. 668-Peterson, R.W.: Destruction of certain child abuse records. S.F. 236-

Waldorf: Obscene materials and performances. S.F. 156-Luther: Uniform commercial code for personal property leases. Any bills referred from other committees, reported from divisions, or not completed in divisions.

**Friday, April 10, 1987**

**Education Committee Education Aids Division**, Chair: Randolph Peterson

8:00 AM Room 15 Capitol  
**Agenda:** S.F. 1001-Piper: Creating debt service anticipation levy. S.F. 1271-Hughes: Learning year programs. S.F. 932-Bernhagen: Little Crow Tele-media network. S.F. 749-Belanger: Bloomington; excess capital outlay levies to replace deteriorating roofs.

**Agriculture Committee**, Chair: Charles Davis  
10:00 AM Room 112 Capitol  
**Agenda:** To be announced.

**Finance Committee Education Division**, Chair: Gene Waldorf  
10:00 AM Room 125 Capitol  
**Agenda:** Budget allocations for U of M continued.

**Judiciary Committee**, Chair: Allan Spear  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 537-Jude: Repeat DWI treatment, penalties. S.F. 548-Dicklich: Title storage, transfer. S.F. 577-Reichgott: Corporate mergers. S.F. 854-Cohen: DEED access to DES data. S.F. 882-Berglin: Eminent domain possession. S.F. 1050-Merriam: Transfer of property to minors. S.F. 1117-Merriam: Use of Revenue Recapture Act to enforce restitution. S.F. 1222-Merriam: Possession of machine guns by ammunition manufacturers. Bills remaining from previous meetings.

**Health and Human Services**, Chair: Linda Berglin  
1:00 PM Room 15 Capitol  
**Agenda:** To be announced.

**Commerce Committee**, Chair: Sam Solon  
3:00 PM Room 112 Capitol  
**Agenda:** S.F. 478-Luther: Omnibus insurance bill.

**Governmental Operations Committee**, Chair: Donald Moe  
5:00 PM Room 15 Capitol  
**Agenda:** Cont. of Thursday's agenda.

**Agriculture Committee**, Chair: Charles Davis  
7:00 PM Room 118 Capitol  
**Agenda:** To be announced.

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## The Minnesota Senate Week in Review

April 10, 1987

### Committee approves 65 mph speed limit

Members of the Transportation Committee approved a 65-mile per hour speed limit increase Thursday, April 9. S.F. 1369, authored by committee chair Sen. Clarence Purfeerst (DFL-Faribault), provides for increasing the speed limit to 65-miles per hour on rural interstates, maintaining the 30-hour per hour speed limit on streets in urban districts, and enforcing the 55-mile per hour speed limit on freeways in urban areas with populations over 50,000.

Paul Tschida, from the Minnesota Department of Transportation (Mn/DOT), testified before the committee and told the members that Mn/DOT originally opposed the 65-mile per hour increase but because of the federal law, now supports the bill. "Minnesota cannot be an island," Tschida said.

The bill also amends current law by allowing the Department of Public Safety to record on a driver's record a 65-mile per hour speed limit violation. According to Purfeerst, the measure would become effective the day following final enactment.

Committee members also sent to the Senate floor the ethanol bill requiring that all unleaded gasoline with an octane rating of 90 or less, sold in Minnesota, contain 10 percent ethanol. S.F. 729, authored by Sen. David Frederickson (DFL-Murdock), does not require that regular gas or unleaded premium contain ethanol. According to Frederickson, the requirement would become effective July 1, 1988 and would remove the ethanol and gas tax credit on October 1, 1988.

S.F. 1100, sponsored by Sen. Donald Moe (DFL-St. Paul), relating to the Regional Transit Board (RTB), gives the RTB the authority to decide transit service fare policy, and requires that cities and towns requesting service assistance from the RTB must submit an application of assistance by July 1, 1988. S.F. 1100 was re-referred to the Committee on Finance.

A fourth measure approved by the committee, S.F. 1145, sponsored by Sen. Steven Novak (DFL-New Brighton), requires that a person loading or unloading a vehicle at a sanitary landfill facility record the weight of the load. The measure also requires that landfill facilities install weighing scales.

The final measure approved, S.F. 343, authored by Sen. Tad Jude (DFL-Maple Grove), provides for the licensure of limousines. S.F. 343 and S.F. 1145 were sent to the Senate floor.

### Joint panel endorses university regents

Four nominees to the University of Minnesota Board of Regents earned committee endorsement Wednesday, April 8, during a joint meeting between the Senate Education and the House Higher Education committees. The names of those endorsed will be placed before the Senate and House of Representatives Wednesday, April 15, when the Legislature meets in a joint convention to elect the Board of Regents.

The nominees endorsed were David Roe for an at-large seat on the board, Elton Kuderer of Fairmont, Dr. Elizabeth Craig of Minnetonka, and Dr. J.P. Grahek of Ely. The four candidates were selected by legislators from the congressional districts they would represent. The Board of Regents consists of twelve members serving staggered six year terms. If elected to the board, the four nominees would assist in determining overall policy for the University of Minnesota.

### Sodomy law repeal gains

A bill repealing the state's consensual sodomy, adultery and fornication laws was approved by members of the Judiciary Committee Monday, April 6. The bill, S.F. 1235, also creates the new crime of public sexual conduct and prescribes a misdemeanor penalty for the first offense, a gross misdemeanor for a second conviction within three years and a felony penalty for a third or subsequent conviction within five years.

Proponents, led by the representatives of the Coalition for Privacy, argued that the laws being repealed were antiquated, discriminatory and rarely enforced. In addition, public health officials said that repeal of the laws would help fight the spread of AIDS by removing the fear of prosecution in the tracing of sexual contacts. Opponents, led by Wayne Olhoff of the Berean League, argued that the measure condoned lifestyles that would result in the spread of AIDS and that the bill removes government control from high risk sexual behavior.

The bill's author, Sen. Donna Peterson (DFL-Mpls.), emphasized that the measure did not repeal any laws relating to criminal sexual conduct or child abuse. "The bill recognizes that intensely private decisions should be protected from government interference," Peterson said. The measure was approved and sent to the Senate floor.

### Six-year license plates gets Senate okay

An alternative proposal requiring car owners to replace their license plates every six years gained the Senate's preliminary approval Thursday, April 9, on a 33-29 vote. The new plan, proposed by Sen. James Pehler (DFL-St. Cloud), requires owners to replace six-year old plates and imposes an annual license registration surcharge of 30 cents for payment of the plates.

As originally proposed to the Senate, the six-year license plate bill, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), proposed a general issuance of new plates every six years, and Minnesota drivers would be charged a two dollar fee. Senate members disagreed with measure and adopted an amendment last week maintaining life-time license plates. However, Pehler's proposal addressed the concerns of some Senate members by altering payment for the plates and by changing the procedure for issuing the plates. The Pehler plan must gain 34 votes before winning final Senate approval.

In other action Thursday, the Senate gave preliminary approval to S.F. 557, sponsored by Lantry. The bill would allow Ramsey County to establish a charter commission to evaluate the advantages and disadvantages of becoming a home rule charter county. Other bills gaining preliminary approval include: S.F. 248 (Peterson, D.C.) ensuring the availability of absentee ballots for statewide elections; and S.F. 593 (Berglin) including board and care homes with nursing homes for purposes of the pre-admission screening statutes.

### Senate T.V. shows air

Two television programs produced by Senate Media Services—Senate Journal and Legislative Viewpoint—are scheduled to air throughout the state. Senate Journal, moderated by Majority Leader Roger Moe, will examine issues concerning personal freedoms, specifically proposals on drug testing, seat belt fines and private consensual sex. The topic for Legislative Viewpoint, hosted by Sen. Randolph Peterson and Sen. Fritz Knaak, will be "Life as a Legislator." Check local listings for time and channel.

# Committee Capsule

## Agriculture

### Linked deposit bill laid on table

The Agricultural Credit Subcommittee, chaired by Sen. LeRoy Stumpf (DFL-Plummer), tabled a measure, Thurs., Apr. 10, which would have established an agricultural linked deposit program using state agency fund reserves to provide farm operating loans.

The measure, S.F. 112, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), was supported by farmer advocacy groups and the state board of investments, the agency that provided technical assistance with the bill and would have administered the program.

Sen. Charles Berg (DFL-Chokio) said the measure would have helped only a small segment, 10 or 15 percent, of the agricultural population and would duplicate existing programs. He said future efforts focusing on the agricultural industry should be geared to helping a wider range of people.

### Seed potato bill approved

The Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), found a bill setting minimum standards for seed potatoes to be one of the most hotly debated of the session when the committee met Fri., Apr. 3.

Sen. Roger Moe's (DFL-Erskine) bill, H.F. 436, was the result of requests from his constituents, but potato farmers from other areas of the state attended the hearing to oppose the measure.

According to Moe, minimum standards for seed potatoes are needed to improve the quality of Minnesota potatoes by reducing the incidence of disease, specifically ring rot, and to improve the state's position in the international potato market. He said 85-90 percent of seed potato growers already abide by the provisions of the bill.

Several farmers spoke in opposition to the bill, stating that it will not eliminate ring rot because it does not set high enough standards to entirely eradicate the disease and because only a limited variety of certified potatoes are available for purchase.

Committee members, most of them farmers themselves, attempted to represent their constituents who were at odds as to how to solve the problem.

The committee approved the measure on a 6-5 roll call vote and sent it to the General Orders calendar after a substitute motion to lay the bill over for the interim failed.

### Minnesota Grown aid advances

A measure authored by Sen. Steven Morse (DFL-Dakota) requiring a license and fee to use the Minnesota Grown promotion label was one of three bills approved by the Agriculture Committee, Mon., Apr. 6.

An author's amendment was added to the bill, S.F. 1375, establishing a state match to provide contributions for the promotion effort. According to the amendment, up to \$200,000 will be appropriated by the state in a four to one state-private contribution ratio for fiscal years 1988 and 1989. The measure was re-referred to the Finance Committee.

The committee, chaired by Sen. Charles Davis (DFL-Princeton), also approved two measures authored by Sen. Gary DeCramer (DFL-Ghent). S.F. 776 provides for the consolidation of the Soil and Water Conservation District Board, the Water Conservation Board and the Water Resources Board. The bill was re-referred to the Governmental Operations Committee. S.F. 956, making changes in public waters drainage laws, was re-referred to the Taxes and Tax Laws Committee.

### Panel advances four bills

The Agriculture Committee held two hearings, Wed., Apr. 8, and approved four measures.

S.F. 766, authored by chair Charles Davis (DFL-Princeton), modifies the methods for determining the assessed values for taxable school district property and for determining agricultural land market values. The measure was re-referred to the Taxes and Tax Laws Committee.

Another Davis bill, S.F. 1244, a delete everything amendment to Sen. Joe Bertram's (DFL-Paynesville) Omnibus Agriculture bill,

S.F.832, provides for general fund appropriations for three agricultural programs including the Board of Vocational Technical Education (\$1.9 million); farm operation financial planning (\$112,500); and farm advocate salaries, training and expenses (\$810,800). Because of the appropriations, the measure was re-referred to the Finance Committee.

The Reinvest In Minnesota bill, S.F. 841, authored by Sen. Steven Novak (DFL-New Brighton), received approval at the evening meeting following the addition of several amendments. Among those were: changes in the waterbank program; establishment of a windbreak program; development of a prairie land management plan; and matching federal agency funding to Indian tribes and bands for the acquisition and development of fish and wildlife habitat. S.F. 841 was re-referred to the Finance Committee.

The panel also approved S.F. 1281, authored by Sen. Dennis Frederickson (IR-Morgan), which provides that the commissioner of agriculture will conduct a survey of existing agricultural research on the development of new agricultural markets and products within the state.

An appropriation of \$25,000 is included in the measure for the costs of conducting the review and preparing a report to be presented to the Legislature in 1988. The appropriation from the general fund will be made only after \$25,000 has been contributed through private donations. The measure was re-referred to the Finance Committee.

## Commerce

### Detached facilities bill approved

A measure that would allow banks to increase the number of detached facilities they operate from two to five was approved by the Commerce Committee Fri., Apr. 3. S.F. 743, authored by Sen. Allan Spear (DFL-Mpls.), also increases the distance in which the detached facilities can operate from 25 miles to 100 miles of the main office. According to Spear, the measure does not restrict the number of detached facilities operated in the metropolitan area.

A similar measure, S.F. 823, carried by Sen. Sam Solon (DFL-Duluth), was also approved. The bill allows banks in Duluth and neighboring municipalities to acquire as many as five detached facilities.

The committee also approved a bill that would authorize licenses to "micro-breweries" for the purpose of brewing malt liquor. S.F. 1053, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), requires that the brewer's produce no more than 2,000 barrels of malt liquor a year and that the brewer must have a retail on-sale license.

The three measures were sent to the Senate floor.

### Franchise measure gains

A measure giving protection to franchise business operators when their franchise is not renewed, was before the Commerce Committee at the Fri., Apr. 3, meeting. The panel, chaired by Sen. Sam Solon (DFL-Duluth), approved S.F. 830 and re-referred it to the Judiciary Committee.

According to Sen. James Pehler (DFL-St. Cloud), author of the measure, the bill provides protection to operators who promoted a franchise, purchased goods through the franchisor, and experienced a franchise termination through no fault of their own. The bill states that a franchise may not be terminated or cancelled without at least a 60-day prior notice stating why the termination is taking place, and that the franchisor is required to allow the franchisers to sell the business or that the franchisor purchase the business at fair market value.

The committee also endorsed S.F. 1078, sponsored by Sen. David Frederickson (DFL-Murdock), requiring mortgage lenders to provide a 90-day written notice of impending foreclosures to borrowers and S.F. 751, authored by Sen. Don Samuelson (DFL-Brainerd), allowing trust funds to be deposited in savings and loan and credit unions. Both measures were sent to the Senate floor.

### Five insurance measures okayed

The Commerce Committee, Tues., Apr. 7, approved a bill, S.F. 292, requiring insurance companies to cover the cost of hair

protheses for victims of alopecia areata, a disease which causes baldness.

The measure, sponsored by Sen. Donna Peterson (DFL-Mpls.), allows up to \$350 to be awarded for the purchase of wigs to policy holders in each benefit year. Larry Frederickson of Northwestern National Life Insurance opposed the bill because he said mandated benefits will increase overall health insurance costs.

S.F. 833, authored by chair Sam Solon (DFL-Duluth), allowing individuals to purchase PPO—Preferred Physician Organization—insurance, which is similar to group health insurance, was also approved.

Other bills approved by the panel include S.F. 1137 (Luther) limiting the restrictions that may be placed on insurance agents' underwriting authority; S.F. 1043 (Luther) regulating the formation and operation of risk retention groups; and S.F. 590 (Samuelson) authorizing the city of Little Falls to issue a temporary on-sale liquor license.

All five bills were sent to the Senate Floor.

The committee held a second hearing later in the day and after reviewing the provisions of S.F. 691, the Omnibus Banking Bill, which makes changes in laws affecting financial institutions, approved the measure and referred it to the General Orders calendar. S.F. 691 is sponsored by Sen. Donna Peterson.

### **Panel advances credit disclosure bill**

Consumers filling out an application for a credit card would know what annual interest rate is being charged by the creditor, according to a plan gaining the committee's approval Tues., Apr. 9. Sponsored by Sen. William Luther (DFL-Brooklyn Park), the measure, S.F. 728, requires disclosure of that information and other charges to be included on credit card applications.

Under the measure, creditors would have to include on the credit card application form the periodic interest rate charges determined on an annual percentage; annual membership fees; transaction or activity fees; late payment charges or charges for exceeding credit limits; and the date or action upon which finance charges begin to accrue.

Luther said the information is "absolutely essential" in helping the consumer to decide if they should apply for the credit card. Some creditors, he explained, fail to inform the consumer of the interest charges.

The bill was referred to the full Senate.

Dram shop insurance premiums would be determined on an actuarially sound basis, according to another bill advanced by the committee. According to bill sponsor Sen. Betty Adkins (DFL-St. Michael), the measure would attempt to determine the amount of premiums that should be charged based upon claims against the liquor establishments. Adkins said that only one company provides insurance to the liquor sellers, and that premiums have continued to rise even though vendors have not experienced any incidents. The measure, S.F. 1313, was referred to the Senate floor.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), referred two other bills to the Senate. S.F. 995 (Wegscheid) removes loan restrictions placed on industrial loan and thrift companies, and allows the companies to charge the same closing cost on real estate loans as other financial institutions. The measure allows those licensed under the regulated loan act to charge an annual fee of up to \$50 on open-ended loan agreements. The second bill, S.F. 966 (Wegscheid), enacts the Uniform Unclaimed Property Act.

## **Economic Development and Housing Corporation for rural businesses okayed**

Members of the Economic Development and Housing Committee met Thurs., Apr. 2, and advanced three bills. S.F. 84, authored by Sen. Gregory Dahl (DFL-Coon Rapids), establishes the Greater Minnesota Corporation. Under provisions of the plan, the organization would be allowed to make loans to businesses interested in pursuing economic development in the state and to Small Business Investment Companies (SBICs) if they agree to lend the money to small businesses. The corporation could also acquire equity interests and provide technical and consulting services to post-secondary institutions and businesses. In addition, the Greater Minnesota Corporation would establish a revolving fund with the

Greater Minnesota Fund and be named the "SBIC account." The proposed Greater Minnesota Corporation is included in another Senate measure, S.F. 1 (Moe, R.D.), which provides economic development initiatives in rural Minnesota. Dahl's proposal, S.F. 84, was re-referred to the Finance Committee.

S.F. 697, authored by Sen. Dennis Frederickson (IR-Morgan), allows county boards to levy a tax of no more than one mill or appropriate \$50,000 out of the county general fund annually for economic development and agricultural activities in the county. S.F. 796, sponsored by Sen. John Marty (DFL-Roseville), establishes a port authority in the city of Roseville. The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), re-referred both measures to the Committee on Taxes.

### **Rural initiative development bill approved**

A bill providing \$54.2 million in rural development initiatives gained the support of the Economic Development and Housing Committee Mon., Apr. 6. The measure, S.F. 898, was referred to the Finance Committee where members will review the plan in comparison with S.F. 1, the proposed Rural Development Act. "There is not enough in S.F. 1 (Moe, R.D.) to turn things around in rural Minnesota," said bill author Sen. Florian Chmielewski when explaining the reason for the proposal. Chmielewski added that he has spoken with Senate Majority Leader Roger Moe (DFL-Erskine), and that Moe has said he is willing to look at adding components to S.F. 1.

Chmielewski's plan would allocate \$15 million for mineral resource development, \$23.7 million for forestry management development, \$10.0 million for fish and game management and steam improvement projects, \$5.0 million for the Greater Minnesota Corporation, \$125,000 for the Tri-County Telecomm Project and \$400,000 for the University of Minnesota to study aspen and cottonwood resources in rural Minnesota.

In addition, the committee considered three other bills. S.F. 765, sponsored by Sen. Lyle Mehrkens (IR-Red Wing), establishing a port authority in the city of Cannon Falls, was approved. The bill was sent to the Committee on Taxes.

S.F. 468, carried by Sen. Ember Reichgott (DFL-New Hope), appropriating an unspecified amount of money to fund the Invention and Innovation Institute was laid over.

S.F. 935, authored by Sen. Gregory Dahl (DFL-Coon Rapids), requires that manufactured home park owners provide emergency storm shelters in the mobile home parks. S.F. 935 was also laid over for further consideration.

### **Little Falls to sell \$3.3 million in bonds**

The Economic Development and Housing Committee met Wed., Apr. 8, and approved a measure that would allow the city of Little Falls to issue and sell \$3.3 million of general obligation bonds in order to refund the city's 1985 tax increment general obligation bonds. S.F. 632, authored by Sen. Don Samuelson (DFL-Brainerd), was re-referred to the Committee on Taxes.

Another measure approved by panel members allows the Energy and Economic Development Authority to approve a grant for a joint venture project between community development corporations and a regional development commission. S.F. 1226, sponsored by Sen. Gerald Willet (DFL-Park Rapids), was sent to the Senate floor.

A third measure presented authored by Sen. A.W. "Bill" Diessner (DFL-Afton), deals with granting Economic Development Authorities the same powers as Port Authorities. S.F. 442 was laid over in order to allow committee members to examine economic development structure and organization policy.

## **Education**

### **AVTI to become "Technical Institute"**

A plan to change the names of the Area Vocational Technical Institutes to "Technical Institutes" was approved by the Education Committee Mon., Apr. 6. According to Joseph Graba, director of the AVTIs, the name change, under S.F. 929, authored by Sen. Steven Morse (DFL-Dakota), would provide more uniformity among the statewide post-secondary technical institutions. The measure, sent to the Senate floor, also requires that the State Board of Vocational Technical Education create as many as ten task forces on curriculum development, increase advisory council membership, and permit

# Committee Capsule

the state board to license teachers with degrees from institutions in other states.

The committee, chaired by Sen. James Pehler (DFL-St. Cloud), also approved a measure that would create at least 15 exemplary programs for adult vocational occupational literacy training. S.F. 775, sponsored by Sen. John Marty (DFL-Roseville), allocates \$1.1 million for the program and allows school districts, AVTIs, and community colleges to apply for the grants. The bill was sent to the Committee on Governmental Operations.

Panel members also began consideration of a measure requiring that an athletic coach who has been terminated or denied license renewal be provided with the opportunity of due process. S.F. 1012, authored by Sen. Gene Merriam (DFL-Coon Rapids), amends current law by stating that the coach is protected under the grievance provisions of the Public Employee Labor Relations Act.

## Plan requires schools to teach Braille

Members of the Education Committee met Wed., Apr. 8, and approved nine bills. S.F. 781, authored by Sen. Jerome Hughes (DFL-Maplewood), requires school districts to teach Braille to all blind and partially blind students. S.F. 1012, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), establishing contract rights for school athletic coaches, requires that coaches who have been terminated or denied license renewal are to be given the right of due process. Both measures were sent to the Senate floor.

S.F. 270, authored by Sen. Sam Solon (DFL-Duluth), provides for releasing approximately 15 to 20 percent of the interest earned in the permanent university fund to be distributed to students at the University of Minnesota Waseca, Morris, Duluth, and Crookston campuses for scholarship grants. As amended, 50 percent of the money would be used for scholarship grants and 50 percent for endowing professional chairs. The measure also requires that the grants be matched by private funds. S.F. 270 was sent to the Committee on Finance.

S.F. 13, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), requires that local government units help finance library construction. The bill was re-referred to the Tax Committee. S.F. 960, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), appropriates \$600,000 in FY 1988 and \$1.2 million in FY 1989 for a library automation program. S.F. 1006, authored by Sen. Donna Peterson (DFL-Mpls.), calls for regional library support and financial assistance. Both measures were sent to the Education Aids Division.

A measure sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes a grant program for teacher centers. S.F. 738, provides for teacher training, curriculum development, and teacher improvement skills development programs. One hundred thousand dollars is appropriated for the program over the biennium. S.F. 738 was re-referred to the Education Aids Division.

S.F. 649, carried by Sen. LeRoy Stumpf (DFL-Plummer), clarifies the authority of the school board to appoint Area Vocational Technical Institutes directors and was sent to the Senate floor. S.F. 912, authored by Hughes, provides for expanding course offerings at Metropolitan State University and was sent to the Committee on Finance.

## Education Aids

### Alternative payment plan approved

A bill that would allow school districts to create a debt service anticipation levy was approved by the Education Aids Division Fri., Apr. 2. S.F. 1001, authored by Sen. Pat Piper (DFL-Austin), creates the debt service levy for the purpose of paying future building construction costs provided a majority of the electorate approves the plan. According to Piper, if the project is not completed, the levy proceeds would go into the debt redemption fund.

Another measure approved by the division, S.F. 749, sponsored by Sen. William Belanger (IR-Bloomington), allows Independent School District 271 to levy \$940,000 in 1987 for the purpose of replacing deteriorating roofs on school buildings.

The committee also began reviewing two other bills. S.F. 932, authored by Sen. John Bernhagen (IR-Hutchinson), provides for

appropriating \$335,000 in FY 1988 to the Little Crow Tele-Media network. S.F. 1271, sponsored by Sen. Jerome Hughes (DFL-Maplewood), would add a tier to the foundation aid program for the purpose of establishing learning year programs. According to Hughes, the program provides greater opportunities to students and teachers by increasing the daily number of instruction hours and by providing instruction throughout the entire year. Hughes noted that currently there are learner programs but they are not as comprehensive or extensive as the programs proposed in S.F. 1271.

## Articles II, III, and IX adopted

The Education Aids Division met Thurs., Apr. 2, and Mon., Apr. 6, and adopted Articles III, II and IX of the Omnibus Education bill. Article III, relating to special education programs, provides for establishing the Interagency Coordinating Council which would be responsible for implementing comprehensive programs for handicapped children and their families. In addition, the measure requires that education instruction and service be provided to handicapped or special needs children under the age of three.

Among many of the appropriations specified in Article III, \$246,300 is allocated in FY 1988 for home based services travel expenses for handicapped children under the age of five and \$359,200 for the program in FY 1989; \$149.9 million for special education aid in FY 1988 and \$156.0 million in FY 1989; \$1.1 million for the American Indian language and culture programs in FY 1988 and 1989; \$1.5 million for American Indian post-secondary preparation programs; \$3.1 million for American Indian scholarships; \$120,000 for hearing impaired support services aid; and \$6.1 million for limited English proficiency pupil program aid.

Article II, relating to pupil transportation, establishes a new formula for non-regular transportation aid, appropriates \$91.0 million for transportation aid in FY 1988 and \$87.8 million in FY 1989, and appropriates \$150,000 over the biennium for post-secondary transportation aid.

Article IX, relating to libraries, allocates \$9.8 million for basic support grants and \$438,300 for multi-county, multi-type library systems.

## Retirees to receive health subsidy

Members of the Education Aids Division met Tues., Apr. 7, advanced two bills to the full Education Committee and adopted Article VI of the Omnibus Education bill. S.F. 1082, authored by Sen. Allan Spear (DFL-Mpls.), authorizes the Minneapolis School Board to levy up to one-tenth of a mill for two years in order to subsidize health insurance for school teachers who retired before the teacher fringe benefit program was developed.

S.F. 860, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), authorizes a levy for capital expenditures. According to McQuaid, approximately 60 districts in the state currently use school buildings, that were once closed, for community education purposes. The levy, said proponents of the measure, would be used only for school building repair.

Article VI, relating to aids and levies for programs such as chemical dependency, secondary vocational, and arts education aid, was adopted after division members failed to adopt two amendments offered by Sens. Lyle Mehrkens (IR-Red Wing) and Gen Olson (IR-Mound). The Mehrkens amendment would have restored interdistrict cooperation and intermediate aid and the Olson amendment would have restored secondary vocational categorical aid.

Two additional measures presented to the division were reviewed and laid over for further consideration. S.F. 1182, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes the issuance of bonds for the purpose of deferred capital improvements in the city of St. Paul. S.F. 1119, carried by Sen. Ember Reichgott (DFL-New Hope), allows school districts to increase levies for the purpose of repairing school facilities.

## Election and Ethics

### Contribution disclosure bill approved

Members of the Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), met Wed., Apr. 8, and sent four

bills to the Senate floor. S.F. 100, authored by Sen. Don Frank (DFL-Spring Lake Park), changes current law by removing the prohibition against persons who are subject to a written complaint or investigation from disclosing information concerning the complaint or investigation. The measure also provides for increasing campaign contribution disclosure. An amendment offered Sen. William Luther (DFL-Brooklyn Park), and adopted by the committee, allows campaign candidates to carry over excess funds rather than return the money to the political funds. According to Luther, this legislation would curb the number of fund raisers during the legislative session.

S.F. 459, authored by Sen. Bob Lessard (DFL-Int'l Falls) exempts members of the Minnesota Zoo board from filing statements of economic interest. S.F. 1051, sponsored by Sen. Charles Berg (DFL-Chokio), allows board members of the Alexandria school district to be elected by the district. S.F. 260, carried by Sen. LeRoy Stumpf (DFL-Plummer), allows up to four contiguous municipalities in the same legislative district to be combined into one election precinct. An amendment offered by Stumpf and approved, allows towns with less than 400 registered voters to vote by mail. Stumpf noted that ballots would be sent to the voters and return postage would be provided.

A final measure considered, S.F. 1341, authored by Luther, provides for establishing a uniform election day for local governments. According to Luther, the elections would be held on the first Tuesday in November in odd-numbered years and would include elections of county, city, and school district officials. The bill was laid over for further discussion.

## Employment

### Workers' comp law approved

A grocery store owner from Laverne presented the Employment Committee with over 25,000 signatures he had collected through a petition drive in an effort to convince the Legislature to lower the workers' compensation rates paid by small employers.

Glen Gust told the panel, Tues., Apr. 7, the \$10,000 he paid in workers' compensation premiums for his employees was his largest expense in 1986. He said it is imperative that the rates be lowered soon or more small businesses will be forced out of business or forced to relocate out of the state.

Some technical amendments to the Dept. of Labor and Industry bill, S.F. 4, which currently addresses the delivery of benefits but not the costs, were adopted by the committee. Chair Florian Chmielewski (DFL-Sturgeon Lake), sponsor of S.F. 4, said he is aware of the problem small businesses have with the rates but said there has been little consensus on the recommendations to change it.

Assistant Commissioner of Labor and Industry Jay Benanav continued an overview of S.F. 4 begun last week. An amendment to the measure, offered by Sen. A.W. "Bill" Deissner (DFL-Afton), allowing the Dept. of Health and Human Services to recover some benefits paid by that department from an individual's workers' compensation benefits was adopted.

The committee also approved a related measure, S.F. 1335, authored by Sen. Carl Kroening (DFL-Mpls.), addressing repayment of benefits when an overpayment is made by the Dept. of Labor and Industry. Under provisions of the bill, 20 percent of the benefit claimant's future weekly benefits may be deducted each week.

After brief discussion, S.F. 4 was approved, Thurs., Apr. 9, and sent to the Senate Floor.

Also on Apr. 9, the panel approved a measure authored by Sen. Lawrence Pogemiller (DFL-Mpls.). S.F. 1379 enables the Dept. of Jobs and Training to draw \$2 million from a federal trust fund for state unemployment programs. Jobs and Training Commissioner Joe Samargia said this is the first year Minnesota is allowed to take advantage of the federal appropriation because it is the first time in many years that the department has had a balanced budget.

A Jobs and Training Department bill, S.F. 1412, which clarifies and updates statutes relating to the department, was approved and sent to the Senate floor. Chmielewski sponsored the measure.

S.F. 746, authored by Sen. Lyle Mehrkens (IR-Red Wing), amending a workers' compensation statute requiring employers of agricultural labor to pay workers' compensation premiums on four

or more workers, was defeated. The bill would have changed the requirement from four to ten.

## Environment and Natural Resources

### Bill establishes water diversion process

The Dept. of Natural Resources would have to consult with administration officials in the Great Lakes states and Canadian provinces before permitting the diversion of water from Lake Superior to water-poor states, according to a bill advanced by the full committee Fri., Apr. 3. Bill sponsor Sen. Gerald Willet (DFL-Park Rapids), said the measure, S.F. 1092, is part of an agreement to promote cooperative protection of the Great Lakes Water Basin.

According to the bill, the commissioner of the DNR would have to notify the Great Lakes units of government if the diversion or consumptive use of the water exceeds 5 million gallons per day (averaged over a 30 day period). If one of the governments objects to the diversion, the commissioner must attempt to seek a mutually agreeable solution. In addition, the bill further prohibits the department from allowing the diversion of water in excess of two million gallons per day (averaged over 30 days) from a water basin until it is determined that the water remaining in the basin of origin is adequate to meet the basin's "water resources needs during the specified life of the consumptive use." The provision also requires legislative approval of the diversion. (According to state officials, the city of Duluth consumes about 2 million gallons of water per day even though it draws 20 million gallons per day from its water source.)

The measure was referred to the Senate floor.

Minnesota's non-game checkoff would have to appear on the state's proposed income tax short form, according to another bill advanced by the committee. According to bill sponsor Sen. John Marty (DFL-Roseville), the governor has proposed removing the checkoff from the shorter form and replacing the lost revenue through a general appropriation. The bill was referred to the Tax Committee.

In other action Friday, the committee, chaired by Willet, referred four bills to the Finance Committee: S.F. 423 (Stumpf) allowing the remaining funds in the Red River of the North dike appropriation to be used for planning and engineering; S.F. 909 (Stumpf) creating a flood mitigation program; S.F. 650 (Stumpf) establishing a cooperative wildlife management program; and S.F. 867 (Willet) establishing a water diversion program.

Three additional bills were referred to the Senate floor: S.F. 385 (Merriam) proposing minor changes to the game and fish laws; S.F. 464 (Wegscheid) assuring that local governments issuing cross country ski licenses may keep some of the fee for administrative costs; and S.F. 461 (Willet) changing provisions relating to the sale of state timber. The committee also referred to the Agriculture Committee S.F. 776 (DeCramer), which creates a state board of water and soil resources.

### Land transfer bills advance

The Environment and Natural Resources Committee, chaired by Sen. Gerald Willet (DFL-Park Rapids) advanced to the Senate floor Tues., Apr. 7, several bills permitting the transfer of state lands. One measure, S.F. 1276, would allow St. Louis County to sell about 80 acres of tax-forfeited land to Minnesota Sphagnum, Inc. of Floodwood, Minnesota, so the company can harvest peat.

Sponsored by Sen. Douglas Johnson (DFL-Cook), the measure also permits the private sale of land in Lake County to the city of Two Harbors for future expansion of its runway and the installation of a nondirectional radio beacon. Furthermore, the bill allows sale of tax-forfeited land to the city of Winton in order to provide a pond system for its waste water treatment facility.

Other bills granting land transfers include: S.F. 1160 (Chmielewski) providing for exchange of tax-forfeited peat lands in Aitkin county; S.F. 1184 (Chmielewski) allowing the conveyance of land in Pine County to the Amherst H. Wilder Foundation for the purpose of operating a facility serving delinquent, needy, maladjusted or emotionally disturbed children; and S.F. 1005 (Dicklich) selling state interest in land located in Biwabik's city park.

The committee also advanced S.F. 481, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), making boundary changes in various state parks. The bill was sent to the Senate floor.

# Committee Capsule

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## Lake aeration liability exclusion gains

The state would not be liable for damages caused by an lake aeration system even though the Dept. of Natural Resources issues permits for the systems, under a bill approved by the committee Wed., Apr. 8. The measure, S.F. 801, sponsored by Sen. Charles Berg (DFL-Choko), was sent to the Judiciary Committee.

According to Berg, the department is unwilling to issue aeration permits without the liability exclusion. The systems are generally used in shallow lakes to improve water quality and fish populations, he explained. In addition, the bill requires signs informing the public of the systems to be placed every 100 feet around the open water.

A bill requiring persons transporting hazardous waste to be licensed also earned the committee's approval. According to Sen. Steven Novak (DFL-New Brighton), author of S.F. 508, the licensing requirement requires minimum driver qualifications to ensure proper transportation of the materials. The bill was referred to the Finance Committee. Panel members also sent to the Finance Committee a bill establishing a procedure for the siting of a low-level radioactive waste facility. S.F. 1202, sponsored by Sen. James Pehler (DFL-St. Cloud), establishes a board to oversee the process, which would begin if the federal government chooses Minnesota the state to house the facility.

The commissioner of natural resources could choose which weekend to sponsor the promotion "Take a kid fishing," according to another bill advanced by the committee. Sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), the bill changes current law, which determines the dates for the weekend. The bill, S.F. 614, was placed on the Senate Consent Calendar.

## Finance

### Divisions okays pipeline bill

The Division on Agriculture, Transportation and Semi-State Agencies approved a \$418,000 biennial appropriation Mon., Apr. 6, to finance the proposed Office of Pipeline Safety, which would coordinate pipeline emergency response efforts and maintain information on pipeline use. The office is among several recommendations contained in S.F. 90, a bill strengthening pipeline safety measures.

In addition to creating the office, the proposal would help prepare firefighters and local governments for combating pipeline emergencies by establishing requirements to be followed by the governmental units and pipeline companies. Pipeline operators would have to file maps of the pipeline systems with the office, the Dept. of Transportation and local governments. The operators would file emergency response plans with the office and with sheriffs in the counties being crossed by the pipelines. Local governments also would be required to prepare emergency response plans.

A one-call notification center also is established under the bill. The center would respond to inquiries by excavation companies for the prevention of damage to underground facilities. Furthermore, the Environmental Quality Board would issue routing permits for new pipelines.

The bill, sponsored by Sen. Steven Novak (DFL-New Brighton) was referred to the full committee.

In other action Monday, the division, chaired by Sen. Keith Langseth (DFL-Glyndon), okayed a bill allowing Anoka County to loan money to the Dept. of Transportation so plans may be prepared for the construction of Highway 10. Sen. Gregory Dahl (DFL-Coon Rapids), sponsor of the bill, S.F. 200, said the loan would help the department expedite the planning process.

## General Legislation and Public Gaming

### Amateur sports commission earns support

A bill creating a commission to foster amateur sports in Minnesota gained the committee's support Wed., Apr. 8, and was referred to the Governmental Operations Committee for further consideration. The measure, S.F. 1112, sponsored by Assistant Majority Leader William Luther (DFL-Brooklyn Park), grants the commission the

authority to help generate sports programs and competitions throughout the state and to promote development of Olympic training centers.

According to Luther, the intent of the legislation is to better coordinate and further the interest of amateur sports in Minnesota. In addition to rendering economic benefits, athletics encourage healthy lifestyles, he said.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved a bill prohibiting a person from selling, designing, installing, or repairing a fire protection system unless they are licensed by the Dept. of Labor and Industry. Sponsored by Sen. James Pehler (DFL-St. Cloud), the measure, S.F. 54, would allow a person repairing existing installation to work without a license. The measure also was referred to the Governmental Operations Committee.

Another bill won committee approval Wednesday. S.F. 326, sponsored by Sen. Keith Langseth (DFL-Glyndon), permits the executive council to authorize repair of state property damaged in a major disaster in conformance with federal disaster relief laws and assures that video game license fees collected by the Dept. of Public Safety are transferred to local governments.

## Governmental Operations

### Local funds-PERA merger discussed

The Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), held a day-long hearing Sat., Apr. 4, to act on numerous bills before the Apr. 10 committee deadline. One of the more controversial measures, S.F. 317, was presented to the committee and then referred to the Legislative Commission on Pensions for further refinement.

The bill, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for the voluntary consolidation of local police and fire pensions with the Public Employees Retirement Association (PERA). According to Wegscheid, there were two underlying principles incorporated in the design of the bill. The first was that the local pension funds not be commingled in any way with PERA funds. Secondly, Wegscheid said that the bill was designed so that no individual would be forced to take less than the individual already has. Under the bill, the local police and fire fund memberships and the municipality would have to vote to transfer to PERA. In addition, individuals would have the option of remaining with the local funds. The bill further requires that the assets moved to PERA would be administered as separate accounts. The bill will come before the committee again after having been heard by the Pensions Commission.

In other action, committee members approved seven other bills and discussed four additional measures. S.F. 1082, authored by Sen. Allan Spear (DFL-Mpls.), authorizes a levy in Minneapolis to provide a subsidy for medical insurance for the group of teachers who retired prior to 1974. According to Spear, many of those teachers are not eligible for any sort of medical insurance because of the type of pension plan in effect in Minneapolis prior to 1974. Spear indicated that about 70 teachers would be eligible for the subsidy should the bill become law. The measure was re-referred to the Education Committee.

S.F. 652, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for a computerized filing system and central data base for uniform commercial code financing statements and lien statements within the secretary of state's office. Further, the measure requires that the computerized filing system must allow information to be entered and retrieved from the system by county recorders. The bill was approved and re-referred to the Judiciary Committee.

S.F. 822, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides that interest earned by the revolving fund for vocational rehabilitation of the blind be credited to the fund rather than to the state's general fund. The measure was re-referred to the Finance Committee. S.F. 79, also sponsored by Pogemiller, provides for the updating and clarification of laws relating to the licensure of podiatrists.

S.F. 648, authored by Sen. Earl Renneke (IR-LeSueur), repeals the requirement that older Minnesotans serve on advisory boards and

councils. S.F. 1143, authored by Sen. Charles Davis (DFL-Princeton), extends the period, from two years to five years, for which the commissioner of administration may lease state property. S.F. 361, authored by Sen. Michael Freeman (DFL-Richfield), allows state employees of the Highway Patrol, the Bureau of Criminal Apprehension and Conservation Officers who are members of Law Enforcement Unit Number 1 to donate up to eight hours of vacation time per year to their union representative for the purpose of carrying out the duties of office.

Panel members also discussed three additional bills. S.F. 1198, authored by Sen. James Pehler (DFL-St. Cloud), provides that a governmental subdivision pay accumulated sick leave in the form of periodic contributions toward premiums for group insurance coverage for a former employee if that employee was a former or active employee of the governmental subdivision before July 1, 1987, and was then covered by a collective bargaining agreement or personnel policy providing for such coverage. S.F. 970, sponsored by Freeman, defines terms and conditions of public employment and allows expanded payment of certain accumulated sick leave. S.F. 1165, authored by Sen. Tad Jude (DFL-Maple Grove), prohibits mandated leaves of absence for state employees who are candidates for public office. S.F. 1173, authored by Peterson, changes the name of the school of the arts and details the power of the board and provides for the organization of the school.

### **Greater Minnesota Corporation bill gains**

The bill aimed at helping economic development efforts in rural Minnesota cleared its fifth committee hurdle when members of the Governmental Operations Committee approved the measure Tues., Apr. 7, and re-referred it to the Committee on Taxes and Tax Laws. The measure, S.F. 1, sponsored by Majority Leader Roger Moe (DFL-Erskine), sets up the Greater Minnesota Corporation to foster economic growth through cooperative research, development and investment in new products and businesses.

Before approving the bill, the committee adopted an amendment offered by Sen. Michael Freeman (DFL-Richfield) requiring the Greater Minnesota Corporation to submit a report for legislative review detailing their equity investment plans. The corporation is prohibited from investing in companies until Apr. 1, 1988, when the plan is before the Legislature.

In addition to creating the corporation, the bill transfers various programs from one area of state government to others created under the bill. For instance, the financial administration of the State Independent Grants program for waste water treatment is transferred from the Pollution Control Agency to a new structure called the Minnesota Public Facilities Authority. Other new structures include a Mineral Coordinating Committee, a Rural Training program, and a Rural Development Board. According to Moe, the bill has a dual purpose, to foster research that shows promise of economic benefit and to help new businesses start up in rural areas of the state.

In other action, the committee members, chaired by Sen. Don Moe (DFL-St. Paul), approved several additional bills. S.F. 167, authored by Sen. Bob Lessard (DFL-Int'l. Falls), provides for the appointment of an additional 15 members to the State Zoological Board. In addition, the bill authorizes the board to make the appointments after consideration of a list supplied by board members serving on a nominating committee. Finally, the bill requires that one member of the zoological board be appointed by the Dakota County Board.

S.F. 1260, sponsored by Sen. John Marty (DFL-Roseville), authorizes the reimbursement of child care expenses to members of various boards and councils who would not otherwise incur those expenses. The bill was re-referred to the Finance Committee.

Three bills dealing with the state university system were combined into one measure and approved by members of the committee. S.F. 836, authored by Sen. Jim Pehler (DFL-St. Cloud), giving the state university board greater flexibility to purchase and trade land and S.F. 837, authored by Sen. Gary DeCramer (DFL-Ghent), allowing the direct procurement of science and technology supplies and equipment by the state university board, were both folded into S.F. 802. The amended version of S.F. 802, authored by Sen. Gerald Willet (DFL-Park Rapids), also allows the state university board to choose from among three low bidders in capital projects.

Tuesday evening, the committee approved a bill reorganizing the Dept. of Energy and Economic Development (DEED). Sponsored by Sen. William Luther (DFL-Brooklyn Park), the measure transfers the responsibilities of promoting and facilitating international trade and foreign investment to DEED, and the department would be renamed the Dept. of Trade and Economic Development. Furthermore, the functions of the energy division within DEED are transferred to the Dept. of Public Service.

The bill also would keep the World Trade Center Board as a public agency. However, the governor proposes that the World Trade Center be supported through private funding. The bill does not contain language regarding funding of the board, and the Senate's proposal regarding future financing would be determined by the Finance Committee.

In other action, the committee approved two additional bills Tuesday evening: S.F. 1159 (Marty) removing the Minnesota correctional industries from the state competitive bidding requirements and S.F. 1261 (Marty) making minor changes to provisions relating to administration and enforcement of the state building code.

### **Deputy registrar bill okayed**

The controversial deputy registrar bill, S.F. 281, gained the approval of the Governmental Operations Committee, Thurs., Apr. 9, after having been substantially amended by the panel. The measure, sponsored by Sen. John Marty (DFL-Roseville), abolishes the authority to appoint corporations or private individuals other than persons acting on behalf of nonprofit corporations as deputy registrars. However, the bill provides for the transfer of appointments of corporations as deputy registrars to individuals if the individual held the appointment before the appointment of the corporation or, if a corporation has been sold or transferred since its appointment but before Feb. 19, 1987, to the purchaser or transferee. The bill also regulates courier services and requires an audit of private deputy registrars and contractors. Finally, the measure allows private individuals currently holding appointments as deputy registrars or qualifying for transfers of appointments held by corporations to continue to operate as deputy registrars.

Committee members also endorsed and re-referred to the Finance Committee, a bill establishing a fund to clean-up petroleum spills. The bill, S.F. 536, authored by Sen. Steven Novak (DFL-New Brighton), also establishes a Petroleum Tank Release Compensation fund, provides for a funding mechanism and authorizes the state to take action to prevent or correct health and environmental damage resulting from releases from petroleum storage tanks.

S.F. 1358, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes six pilot projects to use STEP productivity improvement technology to aid the delivery of local government human services. The bill was also re-referred to the Committee on Finance.

A final bill approved during the morning meeting was sent directly to the full Senate. S.F. 1174, authored by William Luther (DFL-Brooklyn Park), changes the numerical limit, from 16 to 25, on the number of assistant attorneys general and authorizes the attorney general to delegate contract review duties.

## **Health and Human Services Welfare bill gains**

A massive welfare reform bill, dubbed the Family Self-Sufficiency Act, gained the approval of the Health and Human Services Committee at an evening hearing Tues., Apr. 7. The bill, S.F. 682, contains numerous provisions aimed at helping AFDC and GA recipients achieve independence from the welfare system. The measure, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), also contains a number of bills originally sponsored by Committee Chair Linda Berglin (DFL-Mpls.), including a proposal to establish a family health insurance program to provide health coverage on a sliding fee basis; a proposal to create an incentive for counties to provide literacy training for General Assistance clients; and a proposal to authorize earned income savings accounts for General Assistance client who are living in residential chemical dependency facilities to enable them to move out of the facilities. A portion of the measure, Article II, directs the Department of Human Services to seek federal waivers in order to implement a series of programs designed to help individuals achieve self-sufficiency and leave AFDC.

# Committee Capsule

A provision mandating the automatic withholding of child support payments sparked the greatest debate among committee members. Sen. Howard Knutson (IR-Burnsville) argued that the provision punished those individuals who comply in a timely manner with court ordered support payments. An attempt by Knutson to delete the withholding sections of the bill failed on a voice vote. The bill was then approved and re-referred to the Judiciary Committee.

In other action, the panel approved a bill establishing the office of ombudsman for the mentally ill. S.F. 514, authored by Berglin, is one of the recommendations of the Task Force on Mental Health, and would provide information and assistance under the Department of Human Services. The bill was referred to the Committee on Governmental Operations.

Committee members also discussed a bill providing for the licensure of social workers, marriage and family counselors and other mental health service providers. S.F. 1085, authored by Sen. Donna Peterson (DFL-Mpls.), sets forth the requirements for licensure, sets penalties, provides definitions, and provides for a patient's bill of rights. Upon a motion by Sen. Duane Benson (IR-Lanesboro), the bill was laid over for further study.

## Health department bill advances

A bill making a number of housekeeping changes to the laws governing the Department of Health again sparked debate because of several provisions dealing with communicable diseases. The bill, S.F. 1048, had been the subject of heated discussion in subcommittee because of the provisions aimed at non-compliant behavior on the part of persons who are carriers of communicable diseases such as AIDS. Chief author Marilyn Lantry (DFL-St. Paul), offered two amendments designed to address some of the concerns expressed about the measure by adding language protecting individuals. However, representatives of the concerned groups urged committee members to lay the measure over for further study. The bill clarifies the powers of the commissioner of health to take action against a carrier of a communicable disease engaged in non-compliant behavior that results in a health threat to others. The bill requires that the commissioner take the least restrictive action, however the bill provides that the court may order the individual to be committed to an appropriate facility for the period and under the conditions set by the court. The bill was approved on a voice vote and sent to the Senate Floor.

Committee members also approved and re-referred to the Finance Committee a bill providing for the regulation of chiropractic services. The measure, S.F. 1008, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for peer review of services, provides grounds for license revocation and sets penalties.

## Panel advances 10 bills

Members of the Health and Human Services Committee advance 10 bills forward in the Legislative process. Nine of the measures were re-referred to the Committee on Finance. The tenth measure, S.F. 784, authored by Sen. Ronald Dicklich (DFL-Hibbing), increasing the state share to 100 percent of the costs of General Assistance, General Assistance Medical Assistance and Work Readiness, was re-referred to the Committee on Taxes and Tax Laws.

The nine bills sent to the Finance Committee all establish state policy in human services. S.F. 747, authored by Sen. Randolph Peterson (DFL-Wyoming), establishes a system of state-operated community-based residential programs for persons with mental retardation. S.F. 858, sponsored by Sen. Michael Freeman (DFL-Richfield), provides for the regulation of asbestos clean-up activities. S.F. 732, authored by Sen. Don Samuelson (DFL-Brainerd), allows, for rate years beginning July 1, 1987, nursing homes in geographic group I to choose to have the commissioner apply either the care related limits or the other operating cost limits calculated for facilities located in geographic group II, or both, if either of the limits calculated for the group II facilities are higher. S.F. 1233, authored by Samuelson, extends the deadline for community work experience program pilot projects. S.F. 1149, also carried by Samuelson, establishes a floor for rate limitation ratios that apply to a nursing home's interim property-related cost rate.

S.F. 895, sponsored by Sen. Jim Vickerman (DFL-Tracy),

establishes a single, unitary process for the determination of county of residence and county financial responsibility for all human service programs. S.F. 1113, authored by Sen. Pat Piper (DFL-Austin), regulates the licensure of programs for the care of children or of adults with disabilities. S.F. 1010, authored by Sen. Linda Berglin (DFL-Mpls.), establishes service principles and rate-setting procedures for day training and habilitation services provided to adults with mental retardation and related conditions. S.F. 1270, authored by Sen. Ember Reichgott (DFL-New Hope), authorizes the Dept. of Human Services to contract for the establishment of 24-hour toll-free telephone lines to provide consultation services about child abuse to professionals involved in child protection.

## Judiciary

### Snowmobile DWI approved

A marathon hearing, Thurs., Apr. 2, resulted in the advancement of sixteen bills. The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), sent all but two of the measures directly to the Senate Floor. The first bill to gain the panel's endorsement, S.F. 243, authored by Sen. Don Frank (DFL-Spring Lake Park), includes snowmobile drivers and the drivers of all terrain vehicles in the DWI and implied consent provisions of the law. In addition, the bill provides that the DWI and implied consent laws apply to the operation of the vehicles on frozen lakes as well as on streets and highways. Penalties for violations of the law and for repeat violations are the same as those for automobile DWI law violations.

S.F. 286, authored by Spear, increases the fine for petty misdemeanors from \$100 to \$200, in most cases and creates a gross misdemeanor level penalty for theft. The measure also places check forgery and credit card fraud in the theft statutes and allows a prosecuting attorney to certify a misdemeanor a petty misdemeanor without the defendant's consent for a number of violations. S.F. 349, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for conciliation court enforcement procedures and provides uniformity in the number of days, by specifying 20 days in all counties, in which appeals must be made. S.F. 538, also authored by Peterson, prescribes the standard of care for trustees and provides for the regulation of investment of trust assets.

S.F. 605, sponsored by Sen. Joe Bertram (DFL-Paynesville), defines the crime of using police radios while committing a criminal act and prescribes a felony penalty. S.F. 979, authored by Sen. Michael Freeman (DFL-Richfield), provides that the definition of "employee" includes commission salespersons for purposes of prohibiting age discrimination. S.F. 611, authored by Sen. Earl Renneke (IR-LeSueur), allows the Bureau of Criminal Apprehension to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequencies.

S.F. 578, sponsored by Sen. Ember Reichgott (DFL-New Hope), makes numerous changes to the laws regulating the organization and operation of business corporations. S.F. 764, also carried by Reichgott, expands the exception to the husband-wife privilege by allowing spousal testimony with respect to crimes committed against children. S.F. 1201, sponsored by Reichgott, changes procedures in the Dept. of Human Rights, arranges the department's priorities, specifies that various councils take on the advocate function for various protected classes and establishes a Human Rights Council. S.F. 1201 was re-referred to the Committee on Finance.

S.F. 855, authored by Sen. Linda Berglin (DFL-Mpls.), provides for the status and valuation of various pension benefits in marriage dissolution proceedings. S.F. 855 was re-referred to the Committee on Governmental Operations. S.F. 947, authored by Berglin, sets forth the criteria for stay of sentence for repeat criminal sexual assault convictions by providing that the sentence may be stayed if the court finds that a professional assessment indicates the offender is accepted by and can respond to treatment at a long-term inpatient program exclusively treating sex offenders and approved by the commissioner of corrections. S.F. 948, also carried by Berglin, permits evidence showing a tendency to fabricate allegations of sexual assault and requiring three days' notice of intent to introduce

evidence of the victim's prior sexual conduct in criminal sexual assault proceedings.

S.F. 1019, authored by Sen. Donna Peterson (DFL-Mpls.), clarifies the definition of "mentally incapacitated," provides that criminal sexual contact requires sexual or aggressive intent and expands the definition of coercion. S.F. 1018, also authored by Peterson, creates the crime of fifth degree criminal sexual conduct and prescribes a gross misdemeanor penalty. S.F. 462, authored by Sen. Richard Cohen (DFL-St. Paul), provides for the valuation and partial distribution of marital assets.

### **Juvenile jail detention limits okayed**

The Wed., Apr. 8, meeting of the Judiciary Committee resulted in the endorsement of nine measures. S.F. 1088, authored by Sen. Gene Merriam (DFL-Coon Rapids), provided the opportunity for the most discussion. The measure limits the amount of time juveniles may be held in adult jails to six hours in a jail or lockup in the federal defined standard metropolitan statistical area or to 24 hours in a facility outside a standard metropolitan statistical area. Discussion centered on the costs that would be incurred in Greater Minnesota in having to transport juveniles to juvenile detention centers and on the possible harm to the juvenile of being held in an adult facility. The bill was approved and sent to the Senate floor.

Two of the measures endorsed by the panel were re-referred to the Finance Committee. S.F. 1175, authored by Sen. William Luther (DFL-Brooklyn Park), allows the Supreme Court to sell or license computer software products or systems and apply the proceeds to court functions and establishes a client security account. S.F. 1200, sponsored by Sen. Allan Spear (DFL-Mpls.), provides an appropriation to the Center for Urban and Regional Affairs Conflict and Change Project to be used as matching funds for a study of mediation in marriage dissolution cases.

The remaining bills approved by the committee were sent directly to the full Senate. S.F. 619, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), provides for the establishment of a mental illness information management system. S.F. 928, authored by Merriam, provides for patient access to medical records. S.F. 1081, carried by Spear, provides that, in child custody proceedings, the court consider the effect on the child of the actions of an abuser if domestic abuse has occurred between the parents. S.F. 1097, authored by Sen. Donna Peterson (DFL-Mpls.), requires courts to issue written orders for conditional release in domestic assault cases, requires arrest upon the violation of the conditions of the release and requires notice to the alleged victims of the conditions of release. S.F. 1204, sponsored by Luther, authorizes the state and municipalities to make grants to community dispute resolution programs. S.F. 1323, carried by Sen. John Marty (DFL-Roseville), is a revisor's bill conforming statutes to judicial decisions of unconstitutionality.

### **Local and Urban Government RTB measure advances**

The Local and Urban Government Committee, Thurs., Apr. 2, approved S.F. 1100, giving a deadline to cities applying for assistance for community transit systems, and re-referred the bill to the Transportation Committee.

The bill, authored by Sen. Donald Moe (DFL-St. Paul), requires cities to submit their applications to the RTB by Jan. 1, 1988 and also gives full authority for fare policy to the agency.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved S.F. 1087 (Merriam) allowing the city of Champlin to transfer funds from a public improvement project to a grant program for low-income homeowners, and S.F. 1142 (Reichgott) authorizing cities to establish special service districts on which certain taxes and special charges may be imposed. S.F. 1087 was sent to the Senate Floor and S.F. 1142 was re-referred to the Economic Development and Housing Committee.

A fourth measure, S.F. 1241 (Wegscheid) regulating appointments to the Metropolitan Council, was referred to the Metropolitan Government Subcommittee for further work. The bill provides that legislators from the council candidates' district must approve the nomination.

The subcommittee, chaired by Wegscheid (DFL-Apple Valley), met the same evening and referred two measures to the full committee without recommendation.

Sen. John Brandl (DFL-Mpls.) presented S.F. 991 (Freeman), to the subcommittee. The bill requires a fee of \$10 for every 1,000 pounds of aircraft weight for airlines conducting flights between 11:00 p.m. and 6:00 a.m. Robert Stassen, deputy executive director of the Metropolitan Airports Commission, said such a fee would interfere with interstate commerce and would subject the MAC to a lawsuit.

Brandl, however, said neither he or the bill's author were convinced that the fee would go against any existing statute.

A bill authored by Sen. Richard Cohen (DFL-St. Paul), S.F. 893, giving the PCA authority to impose an annual assessment on the MAC to finance the PCA's noise abatement program, was also referred to the full committee without recommendation.

The subcommittee tabled S.F. 1020, authored by Brandl, which would regulate possible conflicts of interest of the MAC. The agency "has more independence than any other agency I'm aware of," Brandl said. He added that the authorities who make policy decisions should not have a stake in promoting the business end of the agency.

Schmitz, however, said the Legislature serves as an oversight agency to the MAC and that the MAC is among the best run of the metropolitan agencies.

### **State mandate bill okayed**

The Local and Urban Government Committee, Mon., Apr. 7, endorsed S.F. 433, authored by Sen. Darril Wegscheid (DFL-Apple Valley), which says that the state will provide local units of government with clear guidelines and funding with which to enact state mandates. The bill was developed at the request of the Metropolitan Inter-County Association and is supported by other local government coalitions.

Robert Orth, executive director of MICA, said the measure is not designed to restrict legislative authority over local governments but to make it easier for the local governments to implement the mandates. The measure will apply to all mandates going into effect after Dec. 31, 1988. The division of state and local mandates, created within the measure, will be under the authority of the state auditor's office.

The bill was re-referred to the Governmental Operations Committee.

The committee, chaired by Sen. Robert Schmitz (DFL-Jordan), also took action on seven other bills. S.F. 1295 (Berglin), allowing city-raised taxes to be used for convention and tourism promotion and permitting a Minneapolis city employee to be assigned to a contracting non-profit corporation, was approved and sent to the Senate Floor. S.F. 259 (Jude) establishing a state reimbursement program for the purchase of bullet-proof vests for police and conservation officers, was approved and re-referred to the Finance Committee. S.F. 11 (Chmielewski) making a change in the statute regarding fire protection districts was approved and sent to the Senate Floor as was S.F. 923 (Freeman), making changes in the appointment procedure for the chair of the Metropolitan Airports Commission. S.F. 1275 (Reichgott) allowing the Hennepin County Board to issue general obligation bonds for library construction was approved and re-referred to the Taxes and Tax Laws Committee. S.F. 1084 (Schmitz) authorizing all cities to impose, by ordinance, street access charges on building projects, was approved and sent to the Senate Floor, and S.F. 1155 (Schmitz) allowing the Scott County Board to sell general obligation bonds for capital improvements was approved and re-referred to the Taxes and Tax Laws Committee.

### **Public Utilities and Energy Phone service for hearing impaired gains**

A bill requiring the provision of communication devices to persons with communication impairments gained the approval of the Public Utilities and Energy Committee Tues., Apr. 7. The bill, S.F. 1029, also requires the establishment of a third-party message relay system to help communication impaired persons interact with non-impaired persons. According to the bill's chief author, Sen. John Marty (DFL-Roseville) there are approximately 40,000 hearing impaired persons in Minnesota and only 1,000 of those hearing impaired persons have telephone communication devices. Under the bill, to qualify for the devices hearing impaired and communication impaired persons would have to be 18 years old,

communication impaired, a Minnesota resident and have an income at or below the median household income in the state. The bill also establishes a funding mechanism for the service by allowing for a surcharge of up to 10 cents per month on regular phone subscribers.

In other action at the morning and afternoon hearings, the panel, chaired by Sen. Ronald Dicklich (DFL-Hibbing), approved a bill appropriating oil overcharge funds for low-income energy conservation programs. S.F. 875, also sponsored by Marty, was re-referred to the Committee on Finance. Committee members also approved S.F. 1193, sponsored by Marty, a bill containing a number of changes to the laws pertaining to telephones. The measure imposes minimum requirements for coin-operated telephones, clarifies that free or reduced telephone rates for telephone company employees are not to be subsidized by ratepayers and provides for the Public Utilities Commission to reopen a telephone rate case.

### **Energy division changes okayed**

Members of the committee met twice Thurs., Apr. 9, to wrap up the committee's work before the first committee deadline. The morning hearing was devoted primarily to discussion of a measure making numerous changes in laws relating to public utilities regulation. S.F. 1192, authored by Sen. John Marty (DFL-Roseville), was ultimately laid over for purposes of further amendment. A second bill authored by Marty, S.F. 1268, makes several non-controversial changes to laws governing the duties of the Energy Division of the Dept. of Public Service. One of the provisions allows homeowners 65 years or older to receive a permit from the department to allow them to operate a decorative out door gas lamp. Another provision clarifies that Minnesota Indian tribes may participate as governmental units in the community energy council grant and technical assistance program.

## **Taxes and Tax Laws**

### **Corporate income tax bill heard**

The Income Tax Division, Fri., Mar. 3, heard an overview of the corporate income tax bill, H.F. 616, a measure sponsored by Sen. Douglas Johnson (DFL-Cook).

The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) also took public testimony on the bill following a presentation by Assistant Commissioner of Revenue John Jaynes.

The plan would raise approximately \$226.4 million in taxes by extending the corporate tax to certain organizations now tax exempt; changing the overall basic tax rates from 12 percent to 8.9 percent; imposing an alternative minimum tax on out-of-state businesses and certain businesses currently paying little or no tax; and by expanding the gross premiums tax on insurance companies, according to Jaynes.

Representatives from several groups appeared before the division to offer comments on the plan. Mike Hickey, director of government relations for the National Federation of Independent Business, said the alternative minimum tax plan helps big businesses to the detriment of small businesses. He asserted that the tax cut large corporations would experience would be made up by the alternative minimum tax on small businesses.

Representing the Minnesota Association of Domestic Mutual Insurance, former Senator Ronald Sieloff, said home-based mutual insurance companies will be at a severe competitive disadvantage if the gross premiums tax is extended because out-of-state competitors will escape the tax while Minnesota-based companies will not.

### **Bidstead bill sent to floor**

The Taxes and Tax Laws Committee, Tues., Apr. 7, approved the creation of an economic development authority to encourage new residences in Koochiching County through a 10-year homestead program.

Sen. Bob Lessard (DFL-Int'l Falls), author of S.F. 799, said people interested in moving to the county may settle on land, at no cost or for a nominal fee, if they commit to live on the land and pay property taxes for 10 years. After 10 years homesteaders will be deeded the land.

The economic development authority created under the bill would be allowed to enter into contracts with homesteaders, administer tax forfeited lands and land exchange programs.

The committee adopted amendments to the bill, offered by chair

Douglas Johnson (DFL-Cook) requiring compliance with tax payments, instituting a sunset rule to review the success of the program in five years and by Sen. Linda Berglin (DFL-Mpls.), imposing penalties at the economic development authority's discretion.

An attempt to change the name of the program from "bidstead" to "homestead" failed despite the understanding that no bids are actually made on the land.

The committee approved four other bills. H.F. 362 (Reichgott), authorizing Hennepin County to create a housing and redevelopment authority, was sent to the Senate Floor. S.F. 821 (Pogemiller), proposed by the Dept. of Finance, authorizing issuance of taxable state general obligation bonds and taxable state agency bonds, was re-referred to the Finance Committee. S.F. 170 (Pogemiller) recodifying economic development laws was sent to the Senate Floor. S.F. 639 (Johnson, D.J.) a Dept. of Revenue bill making changes in the tax compliance system, was laid over for further discussion following an overview by Assistant Commissioner of Revenue John Jaynes.

### **Tax on services debated**

The Sales Tax Division heard testimony on S.F. 1278, a measure containing the proposed extension of sales taxes to services, at the Wed., Apr. 8, meeting.

Sen. Douglas Johnson (DFL-Cook), sponsor of the bill, said he viewed the move as a preferable alternative to property and income tax hikes and that the measure is needed in light of Gov. Rudy Perpich's spending initiatives. A broader revenue base is needed to correct the state's "roller-coaster" fiscal history, he said.

Of approximately 50 people who signed up to address the measure, eleven speakers were heard, mainly advertising agency heads and attorneys who believe a tax on services will have a dramatic effect on their businesses.

Don Bye, a Duluth attorney, said attorneys "live on other people's troubles and troubles are hard to tax." he also opposed the tax because he believes it will be confusing and because he predicts more attorneys will shift from private businesses to staff or "house" attorneys.

Howard Liszt, executive vice president and general administrative manager for the Campbell-Mithun ad agency, said the tax will backfire on the state because it will cause a cut-back in ad agency staff, and thus state withholding taxes, and because Minnesota-based ad agencies will lose clients to agencies in states where there is no tax on services.

The division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), will continue hearings on the measure, Mon., Apr. 13.

## **Transportation**

### **School bus training requirement approved**

A measure that would require training for school bus drivers was approved by the Transportation Committee Tues., Apr. 7. S.F. 862, authored by Sen. Darril Wegscheid (DFL-Apple Valley), requires that for the first time in Minnesota, the commissioner of Public Safety and the commissioner of Education develop a program to train school bus drivers. According to Wegscheid, a school bus driver would be allowed to operate a school bus after a driver has successfully completed eight hours of classroom training and six hours of behind-the-wheel training. The plan requires an appropriation of \$535,000, and was re-referred to the Committee on Finance.

The committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), also approved a measure requiring standards for Metro Mobility and special transportation services. S.F. 1108, sponsored by Sen. Steven Novak (DFL-New Brighton), requires that driver training requirements be met before drivers operate the vehicles, expands inspection requirements, authorizes the Minnesota Department of Transportation (Mn/DOT) to inspect the vehicles annually, requires that Mn/DOT evaluate special transportation service providers annually, and requires that safety requirements be enforced. In addition, the measure requires that the Regional Transit Board (RTB), implement a special transportation service in the metropolitan area. This provision amends current law by requiring that the RTB implement rather than coordinate the service.

Panel members also approved two bills authored by Sen. Joe Bertram (DFL-Paynesville). S.F. 313, re-referred to the Finance

Committee, allows former prisoners of war (POW's), to obtain special motor vehicle license plates free of charge bearing the inscription "EX-POW." S.F. 607 authorizes peace officers to stop motor vehicles for the purpose of inspecting unsafe tires. According to Bertram, if it is found that the tires are unsafe, the motor vehicle operator may be issued a petty misdemeanor citation.

## Veterans

### License plate bills gain approval

Two bills creating specialized license plates—one for Vietnam veterans and another for survivors of the Pearl Harbor attack—won the panel's support Tues., Apr. 7, and were referred to the Transportation Committee. However, prior to the votes on the proposals, several members indicated the need to establish a generic license plate honoring all veterans.

Sen. Bob Lessard (DFL-Int'l. Falls) said bills calling for specialized plates have, in past years, consistently failed to gain final legislative approval. One reason, he explained, was that the bills pertained only to one organization of veterans, and lawmakers were concerned of potential costs if other organizations want the specialized recognition. By offering the plates to all veterans and cutting state costs in making a uniform plate, Lessard said the measures would have a better chance of gaining support. The committee approved the two measures with the understanding that the uniform plate proposal would be discussed with Transportation Committee members.

The measures—S.F. 33 (Pehler) providing special license plates for Vietnam era veterans and S.F. 294 (McQuaid) authorizing special license plates for Pearl Harbor survivors—also would need the Finance Committee approval before being referred to the Senate floor.

## Floor action

### Options for homeowner coverage okayed

A bill providing Minnesotans alternatives in choosing amount of

homeowners insurance coverage and premium payments earned the Senate's final approval Wed., Apr. 8. Sponsored by Sen. Gene Waldorf (DFL-St. Paul), the measure, S.F. 80, requires agencies selling homeowners insurance to offer at least one policy coverage for which the buyer has the option of specifying the amount of homeowner's insurance coverage and resulting premium.

The Senate also passed two other bills Wednesday. H.F. 28, carried by Sen. Richard Cohen (DFL-St. Paul), allows financial institutions to allow other electronic financial terminals to be located in their lobbies. H.F. 240, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), prohibits retailers from placing surcharges on items purchased by a credit card.

Also Wednesday, the Senate passed H.F. 838, sponsored by Sen. Sam Solon (DFL-Duluth). The bill, which was on the Senate Consent Calendar, allows St. Louis County to hire a clerk in the unclassified civil service.

In other action this week, the Senate okayed the following bills Mon., Apr. 6, on the Senate Consent Calendar: H.F. 312 (Samuelson) determining what name may be used on ballots nominating petitions and affidavits of candidacy; S.F. 937 (Schmitz) permitting a medical alert identifies to be placed on a driver's license; S.F. 1067 (Wegscheid) providing for the discharge of charter commissions; S.F. 725 (Frederick) removing limitations on tax adjustments related to annexations; S.F. 888 (Johnson, D.E.) regulating the stopping of school buses at certain railroad crossings in the city of Melrose; H.F. 424 (Bertram) allowing the adjutant general to delegate duties to subordinates; S.F. 721 (Bertram) requiring the placement of a plaque on the Capitol grounds recognizing veterans involved in the Vietnam or Korean conflicts who were prisoners of war or soldiers missing in action; and S.F. 698 (Hughes) allowing northeast metropolitan intermediate school district No. 916 to issue bonds for the acquisition and improvement of a secondary vocational and special education facility.

# Preview

## The Minnesota Senate Week at a Glance

Monday, April 13, 1987

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**  
10:00 AM Room 123 Capitol  
**Agenda:** Allocations.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**  
10:00 AM Room 107 Capitol  
**Agenda:** H.F. 19 (S.F. 16)-Chmielewski: County recovery for medical assistance. S.F. 491-Spear: Disability discrimination in employment. S.F. 705-Jude: Unlawful utility meter bypass, tampering. S.F. 787-Berglin: County recovery for medical assistance.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 586-Marty: Corrections Dept. bill: Forfeiture of contraband, restitution for damage to institution property, penalty for assaulting a correctional officer. S.F. 1065-Cohen: Juvenile court proceedings. S.F. 265-Jude: DWI-prior conviction information limited license violations. S.F. 572-Jude: Making it a crime to give a false name to a police officer.

**Local and Urban Government Committee, Chair: Robert Schmitz**  
12:00 Noon Room 107 Capitol  
**Agenda:** H.F. 357-Lantry: St. Paul; smoke detectors. H.F. 289-Lantry: St. Paul; Capital improvement bonds. H.F. 502-Vickerman: Counties; fee services; emergency contracts. H.F. 489-Lessard: Nashwauk; annexations. H.F. 345-Samuelson: Advertising; second and third class cities.

Senate will be in session at 2:00 PM

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 125 Capitol  
**Agenda:** (Tentative) Allocations.

**Taxes and Tax Laws Committee Sales Tax Division, Chair: LeRoy Stumpf**  
7:00 PM Room 15 Capitol  
**Agenda:** S.F. 1278-Johnson, D.J.: Sales tax on services. Continuation of public testimony.

Tuesday, April 14, 1987

**Transportation Committee, Chair: Clarence Purfeerst**  
8:00 AM Room 112 Capitol  
**Agenda:** S.F. 998-DeCramer: Exempting drivers of intrastate charter carriers from having a medical examiner certificate in possession. H.F. 567-Novak: Resolution memorializing the President and Congress to give states more authority to regulate interstate pipelines. S.F. 1280-Vickerman: Public safety omnibus bill.

**Commerce Committee, Chair: Sam Solon**  
10:00 AM Room 112 Capitol  
**Agenda:** H.F. 444 (S.F. 460)-Freeman: Relating to funeral/burial expenses. S.F. 710 (H.F. 487)-Novak: Membership camping bill. S.F. 1372 (H.F. 466)-Kroening: Clarifying unregulated sale of reading glasses. H.F. 943-Metzen: Consumer protection account in Attorney General's office. S.F. 1206 (H.F. 1276)-Reichgott: Insurer's investment rules.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1191-Marty: Rate adjustments based on the Tax Reform Act. S.F. 1267-Marty: Loans to cities and counties for energy conservation. S.F. 1367-Dicklich: Representation of small business relating to utility rates.

**Health and Human Services Subcommittee on Health and Health Financing, John Brandl**

1:00 PM Room 15 Capitol

**Agenda:** S.F. 998-Berglin: M.A. definition vendors of medical care (SURS). S.F. 789-Berglin: Prepaid health plans M.A. S.F. 582-Brandl: HMO premium adjustment based on utilization. Meeting may continue at 6:00 PM in Room 125 Capitol if necessary.

**Health and Human Services Subcommittee on Social Services and Government Administration, Chair: Pat Piper**

1:00 PM Room 123 Capitol

**Agenda:** S.F. 620-Hughes: M.I. eliminates SLR's, establishes 3rd level of care. S.F. 1041-Samuels: Local Public Health Act. S.F. 975-Vickerman: Regulates budgets and procedures of human service boards. S.F. 917-Diessner: Local Government Block Grants. S.F. 1396-Berglin: Human service case management appeals. S.F. 1368-Waldorf: Admin. aid to counties new formula. Meeting may continue at 6:00 PM in Room 123 Capitol if necessary.

**Rules and Administration Committee, Chair: Roger D. Moe**

1:30 PM Room 107 Capitol

**Agenda:** Personnel matters; budget resolution; S.F. 81-Pogemiller: Constitutional amendment combining state offices. Senate concurrent resolution #7-Bertram: Proclaiming 1987 as MN veterans home centennial year. Report from Ad Hoc Video Subcommittee.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 125 Capitol

**Agenda:** Budget allocations for the U of M cont.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Tentative meeting. Cont. of Capital budget overview.

**Taxes and Tax Laws Subcommittee on Economic Development Tax**

Chair: Ember Reichgott

3:00 PM Room 15 Capitol

**Agenda:** S.F. 1-Moe, R.D.: Rural development act. S.F. 521-Berglin: Urban revitalization action program. S.F. 506-Morse: Low-income housing credit. S.F. 971-Pogemiller: Bonding for financing of local government and certain nonprofit institutions. S.F. 1111-Dicklich: N.E. MN Economic Protection Trust Fund.

**Commerce Committee, Chair: Sam Solon**

4:00 PM Room 112 Capitol

**Agenda:** S.F. 18 (H.F. 85)-Dahl: Used lemon car bill.

**Education Committee Education Aids Division, Chair: Randolph Peterson**

7:00 PM Room 15 Capitol

**Agenda:** Article VIII, Access to excellence. Final action on all articles of omnibus education aids bill.

**Wednesday, April 15, 1987**

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Allocations.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 682-Lantry: Child support, parentage, dependent children of teenage parents sections of omnibus welfare reform bill.

**Senate will be in session at 1:00 PM**

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

3:00 PM Room 125 Capitol

**Agenda:** Allocations: Health related boards, Dept. of Health, and Dept. of Corrections.

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Tentative meeting. Allocations.

**Health and Human Services Committee, Chair: Linda Berglin**

7:00 PM Room 15 Capitol

**Agenda:** All bills completing subcommittees on April 14th. S.F. 346-Novak: Statewide cancer surveillance. S.F. 799-Piper: Rename M.R. S.F. 575-Merriam: Organ donation driver's license. S.F. 843-Dicklich: Allows local agencies to make additional payments to recipients. S.F. 563-Brandl: Extends subsidized adoption program.

**Thursday, April 16, 1987**

**Education Committee, Chair: James Pehler**

9:00 AM Room 15 Capitol

**Agenda:** S.F. 583-Peterson, R.W.: Omnibus education aids bill.

No meetings scheduled for Friday, April 17.

For further information or last minute additions please call the Senate Information Office at 296-0504 or the Senate hotline at 296-8088.

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## The Minnesota Senate Week in Review

April 17, 1987

### Budget resolution approved

In an unprecedented action, members of the Senate Rules and Administration Committee, chaired by Sen. Roger Moe (DFL-Erskine), adopted a budget resolution setting spending limits for the coming biennium. According to Moe, the resolution's proposed spending increases are less than what would be needed to merely maintain the existing levels of state programs and activities. Moe did concede, though, that the increased spending is more than that recommended by the governor. The Senate budget proposal will emphasize property tax relief, education and health care for low-income and older Minnesotans. In addition, the Senate resolution provides for a \$250 million budget reserve.

A motion by Sen. Glen Taylor (R-Mankato) to amend the resolution by setting taxation and spending levels at no more than the rate of inflation failed to gain the committee's approval. A second motion to refer the resolution to subcommittee also failed. The budget resolution was then approved on a voice vote.

### Panel completes \$2.96 billion education bill

The Education Aids Division Tuesday, April 14, completed review of the Omnibus Education bill, which appropriates \$2.96 billion dollars in the next biennium for elementary and secondary education in the state. According to S.F. 583 sponsor and division chair Sen. Randolph Peterson (DFL-Wyoming), the plan increases funding equity among school districts, narrows disparity gaps by redirecting money to lower revenue districts, and creates a more simplified foundation aid formula. Although the compilation of the bill was completed on the 14th, the bill will not be officially finalized until next week.

Under the proposal, over \$2.2 billion dollars will be allocated for the foundation aid program — the basic per pupil revenue will increase from \$1,700 in FY 1988-1989 to \$2,724, and a mill rate of 34.8 mills will be imposed.

One of the most significant changes, said Peterson, is that the 1988-1989 retirement aid will be folded into the foundation formula. In the 1987-1988 school year, more than \$270.2 million has been allocated for the categorical retirement aid.

Other categorical aids, which are currently administered as separate accounts, will, under Peterson's plan, be folded into the foundation aid formula beginning in FY 1988-1989.

The proposal also provides for increasing educational opportunities for students by increasing cooperation and coordination among school districts. Article VIII of the bill establishes contract agreements for school districts wanting to initiate cooperative education district agreements, establishes a state and a school district curriculum advisory committee to examine the planning, evaluating and reporting process required by the school boards to be submitted to the State Board of Education each year, and authorizes the establishment of area learning centers.

### Four University Regents elected

Wednesday, April 15, members of the Senate and House of Representatives met in joint convention to elect four members to the University of Minnesota Board of Regents. The four, Dr. J. P. Grahek of Ely, Dr. Elizabeth Craig of Minnetonka, Elton Kuderer of Fairmont and at-large candidate David Roe, will serve six year terms on the board. The Board of Regents helps determine the overall policy for the University of Minnesota.

Earlier, the Senate met a granted final passage to most of the bills given preliminary approval during Monday's floor session. The bills not granted final passage had been referred to the Secretary of the Senate for comparison with companion bills from the House of Representatives. In addition, Senators granted concurrence repassage to S.F. 440. The bill, sponsored by Sen. Pat Piper (DFL-Austin), removes gender references in Minnesota statutes. The Senate also granted final passage to a bill on the Consent Calendar. S.F. 1349, sponsored by Sen. Jim Vickerman (DFL-Tracy), renames the division of emergency services to the division of emergency management.

Finally, members gave preliminary passage to a bill that would prohibit insurance companies dictating that auto repairs be made with "after market parts" rather than with "original equipment parts." S.F. 341, authored by Sen. Marilyn Lantry (DFL-St. Paul), applies only to cosmetic parts and requires the automobile repair shop to tell the customer whether the parts are new, used, rebuilt, reconditioned or replated and whether they are original equipment manufacture parts.

### Panel endorses hunting and fishing fee hike

A bill raising fishing and hunting license fees in order to generate about \$5.6 million for fish and wildlife management and enforcement won the Environment and Natural Resources Committee's approval Wed., Apr. 15. Sponsored by Sen. Charles Berg (DFL-Chokio), the measure, S.F. 1056, would also secure federal funds by charging senior citizens \$3.50 for a fishing license.

Under the bill, resident hunting fees would be raised as follows: small game licenses, from \$7 to \$10.25 (includes a 25 cent surcharge for hunter education and firearm safety); small game licenses for persons over 65, from \$3.50 to \$5; turkey licenses, from \$10 to \$12.50; deer licenses, from \$15 to \$20.50 (also includes a 50 cent surcharge for hunter education and firearm safety); party-of-four moose licenses, from \$200 to \$250; and a bear license, from \$25 to \$30.

Resident fishing licenses are raised from \$6.50 to \$10, and a \$3.50 fee is charged to senior citizens. Also, married couples buying a combined fishing license would pay \$13.50 rather than the current \$10.50. For those who buy a sporting license, which applies to both hunting and fishing, the individual fee is set at \$15.50 rather than \$12, and the combined license would be raised from \$16 to \$19.50.

Ice fishing and dark houses licenses are also raised from \$5 to \$8, and if the owner plans on renting the house, the fee would be \$18 instead of the current \$15.

License fees for trapping animals also are raised: a trapper over 18 would pay \$16 for a license and those between age 13 and age 18 would pay \$5.

The bill, which was referred to the Finance Committee, also increases non-resident licenses for both hunting and fishing. To take small game, a person living outside of Minnesota would pay \$51 for a license instead of \$46. The \$16 non-resident fishing license fee would be raised by two dollars; a \$15 fee is established for the current \$13 seven-consecutive-day license; the three-day license would be raised from \$10 to \$12; and the non-resident family would pay \$30.50 for a combined fishing license. The bill also institutes a \$4.50 24-hour fishing license, and a 14-day combined license fee would be established at \$22.50.

# Committee Capsule

## Agriculture

### Omnibus bill created

The Agriculture Committee adopted an omnibus agriculture package during the policy committee's deadline meeting, Fri., Apr. 10.

S.F. 806, amending elements of the 1986 Rural Relief Act, is divided into nine articles and includes bills approved by the committee earlier in the session. Among the changes to the 1986 act are: substituting the name of the Rural Finance Administration to the Rural Finance Authority and allowing the authority more flexibility in restructuring farm debts through loans; revising the procedures in the lease or sale of farm property lost through debt with a policy whereby the previous owner may exercise a right of first refusal to the property when it is put up for sale or lease; addition of clarifying amendments to the notification procedure for redemption of agricultural homesteads; extending the Agriculture Data Collection Task Force through 1989; changing the procedure and requirements for using the Minnesota Grown promotion logo; revising provisions of the Metropolitan Agricultural Preserves and the Minnesota Conservation Fund; and requiring a study and report by the commissioner of agriculture on agricultural commodity utilization.

The bill, sponsored by chair Charles Davis (DFL-Princeton), contains a \$4 million appropriation to fund the programs contained in the measure.

Elements of the omnibus bill were discussed at a committee meeting held earlier in the day.

The measure was re-referred to the Finance Committee.

## Commerce

### Insurance companies to broaden investments

A bill authorizing the commissioner of commerce to allow insurance companies to broaden their investment transactions was approved by the Commerce Committee Tues., Apr. 14. S.F. 1206, authored by Sen. Ember Reichgott (DFL-New Hope), also allows the commissioner to waive certain investment restrictions.

Three other bills were approved by the committee and sent to the Senate floor. S.F. 710, sponsored by Sen. James Metzen (DFL-South St. Paul), regulating camping memberships, changes current law by prohibiting unlicensed persons from receiving a fee payment when making a camping membership referral, requires that membership camping operators, brokers and salespersons deposit funds received in an escrow account, and prohibits misleading advertising practices.

S.F. 1428, authored by Metzen, creates a consumer education account through the attorney general's office. S.F. 1372, carried by Sen. Carl Kroening (DFL-Mpls.), changes current law restricting the sale of eyewear by removing the requirement that eyewear can be sold only at businesses that sell prescription eyewear. An amendment adopted to the measure requires that a prominently displayed sign where eyewear is sold must read "If you have experienced a vision loss, the selection of these glasses should not take the place of an eye exam."

### Used car bill sent back to subcommittee

The Commerce Committee, Tues., Apr. 14, referred the Used Lemon Car Bill, S.F. 18, back to the Subcommittee on Consumer Protection. According to chair Sam Solon (DFL-Duluth) the action probably means the bill will not be acted upon this session.

The bill would provide "substantial consumer relief" by mandating a consumer arbitration program, requiring certain disclosures in the sales of used automobiles, and subjecting some used cars to implied warranties for 60 days after the sale transaction, according to the bill's author, Sen. Gregory Dahl (DFL-Coon Rapids).

Proponents and opponents of the bill were heard, among them consumers who wanted some recourse for used cars which

required repair work after the purchase and representatives from the Independent Auto Dealers Association who said the "sticker law" instituted by the federal government in May, 1985 already provides adequate protection for consumers. The sticker states whether the automobile is being sold "as is" or with warranties, and that the auto may be inspected by a mechanic prior to purchase. Faced with over 20 proposed amendments to the bill, the committee moved to send the measure back to the subcommittee for more consideration.

## Economic Development and Housing

### Storm shelter requirement plan approved

The Economic Development and Housing Committee met Thurs., Apr. 9, and approved a bill requiring that if a storm shelter is not within walking distance of a manufactured home park with more than 10 lots, the mobile park owner must provide an accessible storm shelter. S.F. 935, authored by Sen. Gregory Dahl (DFL-Coon Rapids), also specifies that if space in the mobile home park is limited, owners may not evict residents in order to accommodate the construction of the storm shelter. The measure that would become effective March 1, 1989, was sent to the Committee on Finance.

Another measure approved by the committee, S.F. 1273, authored by Sen. Steven Morse (DFL-Dakota), provides for fire code variances and smoke detector requirements. Under provisions of the measure, a misdemeanor penalty would be charged to occupants who disable or disengage a smoke detector and thereby cause injury or damage to property or persons. The bill also allows local governments to appoint boards of appeal to hear and rule on fire code issues. A section of the bill requiring that occupants inform building owners of faulty smoke detectors and providing that owners may periodically inspect smoke detectors, was deleted.

Two other measures presented to the committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), were laid over. S.F. 1297, authored by Sen. David Frederickson (DFL-Murdock), provides for an Economic Development Authority in the city of Little Falls. S.F. 468, sponsored by Sen. Ember Reichgott (DFL-New Hope), appropriates money to fund the non-profit Institute for Invention and Innovation.

## Education

### Panel advances 17 bills

Members of the Education Committee met in the evening Fri., Apr. 10, and acted on 18 bills. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), sent three measures to the Senate floor. S.F. 1044, authored by Sen. Gregory Dahl (DFL-Coon Rapids), provides for allowing two school districts to enter into a cooperative agreement by combining instruction services. According to Dahl, school boards may negotiate plans for teacher assignment by combining teachers in the districts and choosing on a seniority basis. Dahl noted that if a plan is not negotiated before May 1, those teachers who did not make the seniority list and whose positions were discontinued as a result of the cooperative agreement, are to be granted an unrequested leave of absence.

S.F. 759, sponsored by Sen. Keith Langseth (DFL-Glyndon), specifies that when two or more school districts contract to share the services of a superintendent, the districts have the right to choose any individual without regard to seniority. Langseth said that a superintendent who is not chosen may be placed on an unrequested leave of absence or may be reassigned to another position in the district.

The third measure sent to the Senate floor, S.F. 1057, carried by Sen. Pat Piper (DFL-Austin), requires that the University of Minnesota conduct a study on the feasibility of establishing a center at the University of Minnesota to study alternative methods of animal testing.

Measures sent to the Committee on Taxes included: S.F. 1182 (Cohen), providing for the issuance of bonds for the purpose of deferred capital improvements in St. Paul Independent School District 625; S.F. 860 (McQuaid), authorizing a capital expenditure levy to repair and maintain school buildings that are used for community education; S.F. 749 (Belanger), authorizing Bloomington Independent School District 271 to levy \$940,000 to repair and replace deteriorating school building roofs; S.F. 1001 (Piper), providing for a debt service anticipation levy in order to pay future school building construction costs; S.F. 1119 (Reichgott), authorizing school districts to increase levies for the purpose of repairing school facilities in Robbinsdale Independent School District 281; S.F. 363 (Pehler), providing for decreasing the capital expenditure levy and increasing the capital expenditure revenue allowance in Sartell Independent School District 748; and S.F. 870 (Dicklich), authorizing an increase in the special operating debt levy in Mountain Iron-Buhl Independent School District 712.

Bills re-referred to the Finance Committee included: S.F. 899 (Chmielewski), establishing the Fond du Lac Higher Education Center and appropriating \$800,000 in FY 1988 to operate the center; S.F. 476 (Davis), appropriating money to the University of Minnesota to establish an endowed chair for a sustainable agriculture program; S.F. 1307 (Waldorf), appropriating \$40,000 in FY 1988 to establish a task force to study the implementation of a common course numbering system for post-secondary institutions; S.F. 1269 (Vickerman), appropriating \$145,000 for supplies and equipment in order to allow the Worthington Community College to join the Southwestern Minnesota telecommunications network and the Des Moines River Valley telemedia network for the purpose of providing education courses via interactive television within 23 school districts; S.F. 827 (Stumpf), appropriating \$750,000 to develop an archives library complex for the Red Lake Band of Chippewa Indians; S.F. 781 (Dahl), providing for the establishment of the Task Force on Quality in Post-Secondary Education and requiring that each post-secondary education institution present a report on program quality assessment and institutional effectiveness; and S.F. 1252 (Dicklich), providing for increasing the eligibility time period in which post-secondary students can receive financial aid from four to five years. The measure also decreases the age of independent student status from 24 to 22 years. The only measure laid over was S.F. 444 (Waldorf). The bill establishes a state board of technical institutes and a merger between community colleges and Area Vocational Technical Institutes (AVTIs). According to Waldorf, the merger would provide more students with more opportunities because many employers now want students with both academic and vocational training. Waldorf noted that the merger is supported by the Higher Education Coordinating Board (HECB), the Citizens League, community colleges, and AVTI faculty. Testimony in opposition to the merger was heard from representatives of the Minnesota Federation of Teachers, the Minneapolis Public Schools, the St. Paul TVI Advisory Committee, the Association of Metropolitan School Districts, and the School Boards Association who said that the systems are already working very well independently of each other and that the consolidation would have serious ramifications on how the schools operate.

The committee laid the bill over because discussion of the plan was limited to 30 minutes and panel members said the issue required more time for discussion.

### Compulsory attendance bill approved

The Education Committee met Wed., Apr. 15, and sent to the Senate floor H.F. 432. The measure, modifying provisions of the compulsory attendance laws, establishes that a parent is responsible for assuring that a child, between the ages of seven and 16 years, receives an adequate education. The measure also requires that home educators administer annually a standardized achievement examination. If a child's assessment is below the 30th percentile, the parent must obtain an additional evaluation of the child's performance. If the district superintendent finds that the home educator is not complying with the requirements after significant warning, the superintendent may notify the county attorney's office of the violation.

According to Sen. James Pehler (DFL-St. Cloud), author of the Senate's compulsory attendance bill, the measure "begins the process of maintaining and opening up communications between the public and nonpublic schools."

The committee also sent to the Senate floor a bill that would give the Minnesota High School League the authority to assign individual high schools a membership within an athletic or extracurricular conference. H.F. 96, presented by Sen. Richard Cohen (DFL-St. Paul), provides for allowing a school currently not in a conference to petition the Minnesota High School League for assignment in a conference. According to Cohen, the school may submit a written request for membership and within 90 days, the League shall arrange the assignment.

## Education Aids

### Panel begins discussion on Article VII

Members of the Education Aids Division met Thurs., Apr. 9, sent two bill to the full Education Committee and began review of Article VII of the Omnibus Education bill. S.F. 1119, authored by Sen. Ember Reichgott (DFL-New Hope), provides for an annual levy of no more than two percent for a capital facility repair and betterment program. According to Reichgott, the levy is limited to Robbinsdale Independent School District 281.

S.F. 1182, sponsored by Sen. Richard Cohen (DFL-St. Paul), authorizes Independent School District 625 to issue bonds for the purpose of deferred capital improvements.

Article VII, relating to miscellaneous provisions such as summer school scholarships, Educational Cooperative Service Units (ECSU) and regional management information centers grants, was discussed. An amendment offered by Sen. Gary DeCramer (DFL-Ghent), and adopted, allows school districts to offer secondary elective courses during the summer months. Another amendment adopted, offered by Reichgott, requires that school districts submit a planning, evaluation and reporting policy report relating to instruction and learner objectives each year.

A fourth measure, S.F. 1172, authored by Sen. David Frederickson (DFL-Murdock), appropriates \$1.5 million in FY 1988 and 1989 for Mastery Learning demonstration sites. The bill was laid over and will be considered at a later time to decide whether or not it should be folded into the Omnibus Education Aids bill.

### Division endorses Articles V, VII and IX

The Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), met Sat., Apr. 11, and continued review and discussion of articles relating to the Omnibus Education bill. Article VII, containing miscellaneous grants and non-district funds, was approved after several amendments were adopted. An amendment offered by Sen. James Pehler (DFL-St. Cloud), requires that in school district with 1000 students or more, the school district must employ at least one full-time licensed school nurse or contract for nursing services with a public health agency.

An amendment offered by Peterson (R.W.), relating to financial aid for summer scholarship programs was adopted requiring that the Higher Education Coordinating Board (HECB), review all program costs and scholarship awards. The measure also states that the HECB shall not award scholarships exceeding \$1000 to students of the summer school program.

Two other amendments offered by Peterson (R.W.) were adopted. One eliminates an appropriation for alcohol impaired driver education programs and the other requires that the money from the sale of courseware packages is to be appropriated annually to the Department of Education.

Article V, relating to state agency appropriations was also approved by the division. The funds appropriated from the general fund specified in the article include: \$42.5 million for the Department of Education; \$50,000 for the Department of Employee Relations to study the possibility of allowing school district employees to participate in the state health benefits program; and \$4.9 million for the Arts School and Resource Center.

# Committee Capsule

The Dept. of Education appropriation, broken up into three subdivisions, includes funding for educational services, administrative and financial services, and the Faribault Residential Academies. Some of the appropriations for educational service programs include: \$400,000 over the biennium for curriculum planning, evaluating and reporting studies; \$167,000 each year of the biennium for staff development programs; \$211,400 each year for educational effectiveness programs; \$421,100 in FY 1988 and \$293,100 in FY 1989 for technology curriculum and integration services; \$31,500 each year for planning, implementing and evaluating early childhood family education programs; and \$75,000 in FY 1988 for developing a comprehensive arts planning program.

An amendment to the article offered by Sen. Gen Olson (IR-Mound), eliminating a portion of the funding for the Arts School, failed after a tie roll call vote. If adopted, the amendment would have provided for funding only the Resource Center and eliminated the school and its boarding facilities. According to Olson, the incentive for offering the amendment was to address the method in which the arts school was being initiated, not the goal.

Article III, relating to special education programs, was amended to include a requirement that provides for awarding a diploma to handicapped students who complete graduation requirements; provides for developing a resource center for the hearing and visually impaired at the Faribault Residential academies; requires that parents be informed of program offerings at the schools; and a requirement that school districts in cities of the first class establish community interagency committees to identify programs, services, and needs for the handicapped youth and their families.

Article IX, providing for library funding, was approved after an amendment requiring that counties provide financial support to libraries. According to the amendment's sponsor Sen. Donna Peterson (DFL-Mpls.), there are currently 11 counties that do not provide financial support to the libraries.

Amendments to Article II, Transportation, and Article VI, Aids and Levies, were presented but laid over for further discussion.

## Elections and Ethics

### Constitutional amendment bills considered

Three bills providing for constitutional amendment questions to the voters were presented to the Elections and Ethics Committee Fri., Apr. 10. S.F. 198, authored by Sen. Richard Cohen (DFL-St. Paul), provides for reducing the size of the Senate to 45 members and the House of Representatives to 90 members. S.F. 432, carried by Sen. Donald Moe (DFL-St. Paul), provides for eliminating the term "legislative days" and the 120-day legislative day session restriction. According to Moe, if the 120-day restriction were eliminated the legislative process would work more effectively and efficiently as there would be more flexibility. The committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), laid both measures over for consideration next session.

A third constitutional amendment, S.F. 762, sponsored by Sen. Keith Langseth (DFL-Glyndon), amends current law by increasing Senate terms from four to six years, and House of Representatives terms from two to four staggered years. The measure was re-referred to the Rules and Administration Committee.

S.F. 1382, authored by Sen. William Luther (DFL-Brooklyn Park), limiting campaign expenditures by congressional candidates who receive public funds was sent to the Senate floor. According to provisions under the measure, an authorized committee working for a candidate running for office in the United States Senate may not spend in excess of \$4 million for the campaign during an election year. The measure also limits campaign expenditures by candidates running for the House of Representatives requiring that the registered committee spend no more than \$400,000.

Another measure sponsored by Luther, S.F. 1341, provides for establishing a uniform election day for local governments. Elections for county, city and school districts officials would be held on the

first Tuesday in November in either odd or even-numbered years. The committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), laid the bill over.

S.F. 1386, authored by Sen. Jim Ramstad (IR-Wayzata), requires the disclosure of the name, address, and employer of an individual who makes a contribution of \$200 or more during any one year period to a political fund or political committee.

S.F. 1433, sponsored by Sen. Steven Morse (DFL-Dakota), provides for removing the court of appeals jurisdiction over statewide elections and allows for a direct appeal from a district court to the state supreme court. The measure also requires that the resignation of public officials be submitted in writing and signed by the individual resigning. S.F. 1433 and S.F. 1386 were also laid over.

## Employment

### Applicant fee prohibition approved

A bill prohibiting employers from charging a fee for processing job applications was approved and sent to the Senate Floor, Tues., Apr. 14.

Sen. Donna Peterson (DFL-Mpls.), sponsor of H.F. 31, told the Employment Committee that the legislation, which includes rights to recover civil damages, is needed to protect job-seekers from paying application fees.

Jerry Walbrun, director of staffing for Northwest Airlines, spoke in opposition to the measure. He said the airline charges a \$5 fee but limits the fee to applications for flight attendant and pilot positions. Northwest received 350,000 unsolicited applications over approximately three years, Walbrun said. The fee was instituted to help cover the costs of filing, recording and purging the applications as required by federal government regulations. The actual cost of processing is \$6 to \$10 per application, according to Walbrun.

H.F. 946, sponsored by Sen. Douglas Johnson (DFL-Cook), prohibiting employers from setting residency requirements for employees was approved and sent to the full Senate. Also approved and sent to the Senate Floor was H.F. 1073, sponsored by Sen. Carl Kroening (DFL-Mpls.), restricting advertising by master plumbers, journeyman plumbers and plumbers. The measure states that master and journeymen plumbers are required to include their license numbers in the advertisement and provides a penalty for violations if false information is given as to the type of license held.

The committee began discussions on H.F. 1450, sponsored by chair Florian Chmielewski (DFL-Sturgeon Lake), a bill which makes changes in the Special Workers' Compensation Fund.

Dept. of Labor and Industry Commissioner Ray Bohn said the measure is a "stop-gap" approach to dealing with problems in the system and that further attention will be given to the fund during the interim. Among the bill's provisions are: placing more stringent bond requirements on self-insurers; restricting payments for second injuries unrelated to the initial injury obtained on the job; and increasing the penalty for employers who fail to insure their employees.

Discussion of H.F. 1450 will continue Tues., Apr. 21.

## Environment and Natural Resources

### Commercial fishing bill gets approval

The Environment and Natural Resources Committee advanced to the Senate floor Fri., Apr. 10, a bill establishing commercial fish raising in Minnesota. As the bill won committee approval, a private fish hatchery or fish farm may not obtain fish or fish eggs from outside the state without approval from the Dept. of Natural Resources.

Sponsored by Sen. Charles Berg (DFL-Chokio), the measure, S.F. 69, establishes priorities for the distribution of game fish eggs and fry received by the department. According to the plan, the department must first provide the fish eggs and fry to public and private hatcheries for the raising of fish to stock public waters. Only

then can the eggs and fry be sold to hatcheries or fish farms for commercial fish raising. Anyone planning on operating a fish farm would have to pay \$250 for a fish license.

The Commissioner of Natural Resources could declare an elk hunting season to control the herd grazing in Northeastern Minnesota, under another bill advanced by the committee. The proposal, S.F. 1240, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), also would compensate farmers for crop damage caused by the elk. The measure was referred to the Senate Finance Committee.

The panel, chaired by Sen. Gerald Willet (DFL-Park Rapids), advanced two additional bills Friday: S.F. 1308 (Marty) permitting the Dept. of Natural Resources to designate any part of a lake as a waterfowl migratory feeding or resting place and prohibiting a boat from entering the designated area unless it is propelled by an electric motor of less than 30 pounds; and S.F. 1265 (Marty) requiring arrowheads used for big game hunting to have a diameter of at least seven-eighths of an inch, have a minimum of two metal cutting edges and be of a barbless broadhead design.

### Bill permits bowhunting release aids

Minnesota bowhunters would be able to use a mechanical release aid when hunting deer, according to a bill approved by the full committee Tues., Apr. 14. Proponents of the measure, sponsored Sen. Gary Laidig (R-Stillwater), said the aid would help bowhunters concentrate on aiming at their target.

Currently, the law permits disabled persons to obtain a permit for using mechanical bowhunting devices. About 50 hunters apply for the special license, DNR officials said. Laidig's proposal, H.F. 102, does not apply to mechanical devices other than a release aid. If enacted into law, all Minnesota bowhunters could use the aid, which still requires them to use their own strength in drawing, holding and releasing the bowstring. The measure was referred to the Senate floor.

A person tending a trap would be able to use a portable light and carry a .22 caliber handgun, under another measure approved by the committee Tuesday. The bill, sponsored by Sen. Charles Berg (DFL-Chokio), still prohibits a person from tending a trap between 7:00 p.m. and 5:00 a.m. Berg's proposal, H.F. 653, was referred to the Senate floor.

Fees collected by the Dept. of Natural Resources for forest management services would be placed into a forest management fund, under another bill advanced by the committee. The measure, S.F. 879, sponsored by committee chair Sen. Gerald Willet (DFL-Park Rapids), was sent to the Finance Committee.

The panel advance two additional bills to the Senate floor: H.F. 340 (Renneke) allowing elk to be raised on a game farm; and H.F. 505 (Frederick) conveying state land in Faribault.

## Finance

### Semi-states begins allocations

The Finance Division on Agriculture, Transportation and Semi-State Agencies began allocations for the Dept. of Agriculture and various semi-state agencies during their Mon., Apr. 13, meeting. Many of the Senate committee's spending proposals met the governor's recommendation, and only a few changes were adopted Monday.

As compared to the governor's proposals, the Senate's preliminary plan would cut total funding, about \$27,000, for the Uniform Laws Commission, which helps develop model legislation and works for uniformity in similar laws among member states. Also, the division's proposal cuts \$200,000 from the Minnesota Historical Society's repair and replacement budget and uses the money saved for avoiding entrance fees at the Fort Snelling site. Furthermore, the division, chaired by Sen. Keith Langseth (DFL-Glyndon), lowered the proposed amount in the state's general contingent fund from \$13,000 to \$6,500. The contingent money only would be used for unanticipated expenditures.

For the Dept. of Agriculture, the division recommended adding to governor's proposal \$200,000 to help counties conduct groundwater

surveys. In addition, \$400,000 would help cover indirect costs in administrative support. And, the division recommended eliminating public financing of the "Agriculture in the Classroom" program. Members said the department could work to secure private support for the program.

### Allocations for state departments begin

The Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), began appropriations Mon., Apr. 13, for various state agencies and departments. Tuesday, committee members gave preliminary approval to the governor's proposed special revenue expenditures by various departments. The total amount to be raised and spent total about \$29.3 million in F.Y. 1988 and \$29.6 million in F.Y. 1989. The money is mainly generated through department fees.

### Education Division okays ag research hike

During their preliminary allocations for higher education, the Division on Education Tues., Apr. 14, approved \$1.5 million above the governor's recommended amount for the University of Minnesota's agricultural research efforts. The additional money would help fund research programs such as forest stand management, livestock and poultry, molecular biology, food toxicology, gene transfer in fish, and forest/wildlife interact. Sen. Glen Taylor (R-Mankato), who proposed the additional funding, said he will indicate cuts in other higher education areas to fund the adopted increase.

## General Legislation and Public Gaming

### Bill creates humanities center

The Minnesota Humanities Commission would establish a humanities resource center to promote educational and cultural programs, according to a measure advanced Fri., Apr. 10, by the committee. Sponsored by Sen. James Metzen (DFL-South St. Paul), the legislation is intended to balance public education and the cultural life of the state.

The bill, S.F. 1325, further requires the center to bring the humanities resources to the rural communities. Funding for the center will be determined by the Finance Committee.

The committee also okayed a bill allowing a member of a county humane society accompanied by a practicing veterinarian to enter an animal research institution to observe how the animals are being treated. Sponsored by Sen. Ronald Dicklich, the measure, S.F. 791, permits access if the humane officer believes that animal protection laws are being violated. Furthermore, the bill, which was referred to the Senate floor, allows the society's member and the veterinarian to document and photograph conditions at the institution.

Two other bills earned committee approval Friday and were referred to the full Senate: S.F. 1230 (Piper) giving the Minnesota State Historical Society authority over preservation of public areas in the Capitol building; and S.F. 1349 (Vickerman) changing the name of the Dept. of Public Safety's division of emergency services to the division of emergency management.

## Governmental Operations

### Bill hikes department heads; judges pay

The Governmental Operations Committee Thurs., Apr. 9, okayed a measure raising the salaries of state department heads and judges. The measure, S.F. 674, sponsored by chair Sen. Don Moe (DFL-St. Paul), also endorses the state compensation council's proposed salaries for the constitutional officers.

According to the plan, state commissioners classified in the top salary range, and who now receive between \$57,000 and \$70,000 yearly, would earn between \$60,000 and \$78,500. They include the commissioners of education, finance transportation, human services, and the director of the State Board of Investment.

# Committee Capsule

Agency heads classified in a second salary category would earn between \$55,000 and \$67,500. The group, including the commissioners of agriculture, natural resources, commerce, energy and economic development, health and revenue, now earn between \$50,000 and \$60,000.

A third group of state department directors would receive an annual salary between \$47,500 and \$60,000. Those included are the commissioners and directors of veterans affairs, public utilities, human rights, mediation services and the Transportation Regulation Board.

The bill also would raise salaries of state judges. The chief justice of the supreme court would earn \$80,000; an associate justice, \$75,000; a judge on the court of appeals, \$70,000; the chief judge of the court of appeals, \$72,500; and district court judges, \$65,437. The increases would raise the judges current salaries, which were established recently by the State Compensation Council.

In addition, the bill endorses the salary increases enacted by the compensation council. According to the changes, the governor's salary is set at \$91,460; the attorney general, \$71,450; the lieutenant governor, \$50,305; the state auditor, \$54,881; the secretary of state, \$50,305; and the state treasurer, \$47,590.

The bill was referred to the Finance Committee.

A bill creating an office of mental health ombudsman also gained committee approval Thursday evening. The measure, S.F. 514, sponsored by Sen. Linda Berglin (DFL-Mpls.), sets forth the organization of the ombudsmans office, which was recommended by the Governor's Commission on Mental Health. And, the committee approved a measure, S.F. 855 (Berglin), which requires pension plan information to be considered in marriage dissolution actions. S.F. 514 was sent to the Finance Committee, while S.F. 855 was referred to the Senate floor.

The committee advanced four bills to the Finance Committee Thursday evening: S.F. 776 (DeCramer) consolidating the responsibilities of the Soil and Water Conservation Board and the Water Resources Board into a new organization called the State Board of Water and Soil Resources; S.F. 1016 (Davis) creating the Rural Development Council; S.F. 834 (Wegscheid) creating a mental health advisory council; and S.F. 1112 (Luther) establishing a sports commission.

Two additional bills won the support of the panel and were sent to Senate floor: S.F. 1197 (Dicklich) establishing a Martin Luther King Council; and S.F. 1165 (Jude) prohibiting certain mandated leaves of absence for state patrol officers.

By January 1, 1990, the percentage of handicapped persons in the state civil service shall approximate the percentage of handicapped persons in the state's general population, under another bill approved by the committee and referred to the Senate floor. The measure, S.F. 1150, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), includes persons with mental health and retardation disabilities as among the eligible for employment.

## Arts school advances

A bill providing for the organization of the Minnesota School and Resource Center for the Arts gained the approval of the Governmental Operations Committee Fri., Apr. 10. The endorsement came on a 6-3 roll call vote after the bill had failed to gain approval the night before. The bill, S.F. 1173, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for the structure and organization of the new school. The measure was re-referred to the Education Committee.

In other action, panel members, chaired by Sen. Don Moe (DFL-St. Paul), approved six measures and discussed two additional bills. The two bills receiving extensive discussion were both laid over for interim study. S.F. 433, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for regulating the development, imposition and management of state mandates upon local governmental units. The bill also creates a Division of State and Local Mandates in the office of the state auditor. Under the bill, the new division is to make a determination of the estimated and actual financial effects on each local political subdivision of each program mandated by the

legislature and of each rule proposed by an administrative agency. S.F. 958, authored by Moe, establishes a Public Pension Plan Bureau within the Dept. of Employee Relations. According to Moe, the purpose of the bill is to "compel the executive branch to get involved in pension policy development." The bill sets forth the duties and responsibilities of the new division and provides for the active participation of the executive branch in the formation of public pension policy.

The bill providing for the voluntary consolidation of local police and fire pension funds with the PERA was also approved in an amended form. S.F. 317, authored by Wegscheid, provides for a limited number of local police and fire pension funds to consolidate with PERA while maintaining a statewide applicability. The bill, said Wegscheid, maintains the original goal of prohibiting any mingling of funds between plans and narrows the scope of potential windfalls to individuals.

S.F. 98, also carried by Wegscheid, provides for a lump sum increase for pre-1973 retirees. The measure continues the mechanism for increases that has gained legislative approval over the course of the past few years. The bill provides \$13 million to employees who retire prior to the establishment of more modern pension plans. S.F. 1034, authored by Moe, provides for an increase in employer contributions to teacher retirement funds and separates certain employer contributions into employer matching and employer additional contributions. According to Moe, the bill would require an appropriation of \$35 million over the biennium. Both S.F. 98 and S.F. 1034 were re-referred to the Committee on Finance.

S.F. 1033, also carried by Moe, clarifies the responsibilities of the actuary retained by the Legislative Commission on Pensions and Retirement, clarifies and revises various actuarial determinations and procedures and authorizes the retention of actuarial advisors by various retirement funds. S.F. 980, authored by Moe, codifies pension plan fiduciary responsibilities. The bill spells out the obligations, responsibilities and liabilities of public pension plan fiduciaries. According to Moe, the idea behind the bill is to get some control over state pension funds. "We rely almost entirely on the Pension Commission for oversight," he said, "and this bill is a sweeping and far reaching measure that will provide a model for other states." Both bills gained the panel's approval and were sent to the Senate floor.

Finally, the committee approved a bill, S.F. 587, authored by Sen. William Luther (DFL-Brooklyn Park), providing that ambulance personnel who die in the line of duty are eligible for benefits from the Peace Officer Benefit Fund.

## Health and Human Services

### Smoking ban approved

Legislation prohibiting smoking in day care centers, public schools, hospitals and health care clinics was endorsed, Fri., Apr. 10, by the Health and Human Services Committee.

A major amendment to the bill, offered by Sen. Jim Vickerman (DFL-Tracy) and approved by the committee, took out provisions of the measure restricting the advertising of tobacco products on public buildings and on billboards.

Sen. John Marty (DFL-Roseville), the bill's author, opposed the amendment saying the bill was worded so it would not conflict with federal rulings on the advertising of tobacco products. But John Rupp, a representative for the tobacco industry in Washington, D.C., said the advertising restrictions which Marty's bill contain, would restrict rights upheld in previous court rulings. The bill was sent to the Senate Floor.

The panel approved eight other measures on the day of the policy committee deadline for Senate bills. S.F. 175, authored by Sen. Lawrence Pogemiller (DFL-Mpls.) requires health maintenance organizations to disclose any exclusions or limitations on health care coverage in their marketing materials. Following a lengthy discussion on an amendment offered, and later withdrawn, by Sen.

John Brandl (DFL-Mpls.), which would have added a provision dealing with conflicts of interest among HMO officers and shareholders, the bill was sent to the full Senate.

Five measures were approved and re-referred to the Finance Committee. S.F. 817 (Lantry) provides for a grant program to employers for developing licensed day care facilities for their employees. Under provisions of the bill, up to 50 percent, or \$40,000, of the costs of planning, site preparation, construction, renovation or acquisition of space for the facility, will be paid to the employer. S.F. 436 (Berglin) raises the income standards for medical assistance; S.F. 872 (Brandl) changes the way therapy services for nursing home residents are paid; S.F. 1293 (Brandl) requires that home hospice care be paid by medical assistance; and S.F. 720 (Cohen) appropriates money for a study of the Store-to-Door non-profit grocery delivery service for aging and disabled Twin Cities residents. The bill further states that the Dept. of Human Services will support the activities of the program, now staffed by volunteers and funded by private contributions. The measure appropriates \$15,000 for the program for the next fiscal year.

The panel, chaired by Sen. Linda Berglin (DFL-Mpls.), defeated a measure that would have raised the reinstatement fee drivers arrested for DWI pay from \$150 to \$200. Opponents of the measure, S.F. 1376 (Piper), thought the penalty was too high and that it would hurt only lower income drivers.

## Judiciary

### Obscenity definitions, penalties okayed

Judiciary Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), held two lengthy hearings, Thurs., Apr. 9, and Fri., Apr. 10, in order to finish work on all the bills assigned to the committee. One of the more controversial measures heard Thursday evening was a bill altering the definition of obscene materials and prescribing penalties. S.F. 236, authored by Sen. Gene Waldorf (DFL-St. Paul), eliminates the requirement that obscene material appeal to the prurient interest of the average person and adds the requirement that the work depict or describe sexual conduct in a "patently offensive manner." In addition, the bill amends the definition of "work" and "material" to include video tapes and live performances. The penalty provisions, which had been amended in the Criminal Law Division to prescribe shorter jail sentences and stiffer fines, were amended again to conform to gross misdemeanor penalties. The bill was approved and sent to the full Senate.

Seven other bills were approved during the evening meeting. S.F. 1279, authored by Sen. Steven Morse (DFL-Dakota), clarifies and amends the provisions requiring the state, a federal agency, or a corporation to offer a lease or sale of agricultural land to the immediately preceding owner. In addition, the bill prohibits waiver of statutory rights of debtors and allows damages against persons who violate the waiver prohibitions. S.F. 830, sponsored by Sen. James Pehler (DFL-St. Cloud), regulates the nonrenewal and transfer of franchises and provides for civil liability for unfair practices in relation to franchises. S.F. 810, carried by Sen. Marilyn Lantry (DFL-St. Paul), establishes public assistance liens in order for the state to recover payments due the state, establishes third party payer liability and provides for reimbursement of benefits from programs with federal participation. S.F. 810 was re-referred to the Committee on Finance.

S.F. 785, authored by Sen. Donna Peterson (DFL-Mpls.), eliminates consent as a defense to a charge of depriving another of parental rights, allows the filing of felony charges before 14 days have elapsed in cases of parental kidnapping and increases the penalty for depriving another of parental rights. S.F. 915, authored by Sen. Ember Reichgott (DFL-New Hope), amends the trespass law to prohibit harassment on private property, prohibits following and stalking with the intent to harass, abuse or threaten, prohibits intentional harassment by the delivery of letters or objects, and sets penalties.

S.F. 652, authored by Sen. Randolph Peterson (DFL-Wyoming), authorizes the establishment of a computerized filing system and central data base for uniform commercial code financing statements

and lien statements. The system would be located within the secretary of state's office and would be accessible to all Minnesota counties. S.F. 187, also sponsored by Peterson, establishes a lien on personal property held in self-service storage facilities, provides for the lien's enforcement, and regulates rental agreements and advertising.

### Appeals Court bills gain

Among the fourteen bills processed by committee members Fri., Apr. 10, were three measures making changes in the statutes governing the Court of Appeals. All three bills, authored by Sen. William Luther (DFL-Brooklyn Park), were approved and re-referred to the Committee on Finance. S.F. 1438 allows appeals from the Tax Court to go to the Court of Appeals, rather than the Supreme Court, and provides a mechanism to purchase needed office equipment. S.F. 1381 provides the court with the authority to order mandatory mediation in civil actions in order to avoid lengthy trials. S.F. 1340 removes the requirement that the Court of Appeals publish all decisions and sets forth a list of criteria describing the decisions that are to be published. All three bills are, according to Luther, attempts to allow the court to operate more efficiently.

Two additional bills authored by Luther also gained the panel's approval. S.F. 156 adopts an article of the Uniform Commercial Code that governs personal property leases. S.F. 896 provides for the award of sentimental property to a decedent's children.

Four measures sponsored by Sen. Gene Merriam were also acted upon favorably by committee members. S.F. 321 clarifies that DWI laws apply when a person is under the influence of any substance that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate a motor vehicle. S.F. 1050 provides for the transfer of securities to minors under the Uniform Transfer to Minors Act. S.F. 1117 authorizes the use of the Revenue Recapture Act to collect restitution to a crime victim from a convicted person's tax refund. S.F. 1222 allows the possession of machine guns by ammunition manufacturers for testing purposes.

S.F. 446, authored by Sen. Tad Jude (DFL-Maple Grove), establishes a statute of limitations for administrative law cases. S.F. 537, also sponsored by Jude, imposes mandatory minimum penalties on habitual DWI offenders and requires the court to order participation in a chemical dependency evaluation and, if necessary, in a chemical dependency treatment program.

S.F. 577, authored by Sen. Ember Reichgott (DFL-New Hope), regulates mergers and exchanges between business corporations. S.F. 1345, authored by Sen. Randolph Peterson (DFL-Wyoming), requires the state board of public defense to adopt standards governing district public defender offices, authorizes the state board to fix the salary of the state public defenders, and allows the representation of indigents by public defender before formal appointment.

### Welfare bill discussed

The full Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met Wed., Apr. 15, to consider those portions of the omnibus self-sufficiency bill that fall under the committee's jurisdiction. Specifically, three general areas of S.F. 682 dealing with the paternity statutes, child support statutes and a new "dependent child" status based on a parent's not having reached the age of majority, were the focus of committee discussion. Most of the hearing was devoted to discussion of the "dependent child" status provisions in the measure. According to chief author, Sen. Marilyn Lantry (DFL-St. Paul), those provisions were designed to insure that teenage mothers completed high school, or attained a GED, and that the teenage mothers were themselves in a secure environment. However, testimony by Prof. Robert J. Levy of the University of Minnesota Law School helped convince panel members that the provision gave the courts too much authority. Sen. Richard Cohen (DFL-St. Paul) successfully amended the bill by deleting the sections relating to the "dependent child".

Panel members began hearing testimony on the child support provisions of the measure. Included in the child support sections are provisions requiring the immediate mandatory withholding of

# Committee Capsule

child support payments. Time constraints forced the panel to lay the bill over until Wed., Apr. 22.

## Local and Urban Government

### MAC assessments tabled

The commissioner of public safety would be authorized to make grants to local units of government for law enforcement programs under a bill approved, Thurs., Apr. 9, by the Local and Urban Government Committee.

S.F. 1289, authored by Sen. Jim Vickerman (DFL-Tracy), provides that grants for law enforcement programs, specifically drug enforcement and corrections, will be made to economically distressed cities and towns. The measure was re-referred to the Finance Committee.

The panel, chaired by Sen. Robert Schmitz (DFL-Jordan) approved two other bills. S.F. 1301, authored by Sen. Darril Wegscheid (DFL-Apple Valley), appropriating \$45,000 from the general fund to be paid by the Metropolitan Waste Control Commission to the city of Farmington for reimbursement for excess waste water treatment charges, was also re-referred to the Finance Committee.

S.F. 1157, authored by Sen. Don Samuelson (DFL-Brainerd), establishing a Crow Wing-Cass County airport authority with the power to levy up to .75 mills on real property, was re-referred to the Taxes and Tax Laws Committee.

The committee tabled two measures which would have had financial impact on the Metropolitan Airports Commission.

Sen. Michael Freeman's (DFL-Richfield) bill, S.F. 991, would have imposed a fee of \$10 per 1,000 pounds of aircraft weight on airlines conducting flights between 11:00 p.m. and 6:00 a.m. The measure would have discouraged flights during the voluntary night flight ban agreed upon by the airlines and the MAC. However, according to Freeman, at least one airline has violated the ban.

Jeffrey Hamiel, executive director of the MAC, told the committee that the measure would put the MAC's contracts with the various airlines in jeopardy and might result in legal action against the MAC. The commission already has its own noise abatement plan underway and, if approved by the FAA, will make federal money available for local noise abatement programs, Hamiel said.

S.F. 893, authored by Sen. Richard Cohen (DFL-St. Paul), allowing the PCA to assess the MAC for funds to run the PCA's noise abatement program, was also tabled.

Cohen said the assessment for approximately \$75,000 for an additional staff person and noise monitoring equipment, is included in Gov. Rudy Perpich's budget recommendation.

Both S.F. 991 and S.F. 893 had been discussed in the Metropolitan Government Subcommittee and referred to the full committee without recommendation.

### St. Paul measures approved

The Local and Urban Government Committee met, Mon., Apr. 13, and approved five House bills.

H.F. 289, sponsored by Sen. Marilyn Lantry (DFL-St. Paul) extends the city of St. Paul's authority to issue bonds for capital improvement and redevelopment programs through 1993. Under current law, the city may issue bonds only for capital improvements and only through 1988. The bill was re-referred to the Taxes and Tax Laws Committee.

Another Lantry measure relating to St. Paul, H.F. 357, allows the city to adopt an ordinance requiring that single family homes be equipped with direct-wired smoke alarms rather than the commonly used battery operated alarms. The bill provides that the system will be enforced through the truth-in-housing inspection or through notification at the time of the sale of a home. Multi-family residences are already required to have direct wired-smoke alarm systems, Lantry said.

H.F. 502, sponsored by Sen. Jim Vickerman (DFL-Tracy), authorizes counties to charge fees for services such as recording,

certifying and copying documents. An unrelated amendment, offered by the author and approved by the committee, gives Beltrami County the authority to control dogs and cats within the county without instituting a licensing system.

H.F. 345, sponsored by Sen. Don Samuelson (DFL-Brainerd), allows second and third class cities to appropriate money annually for advertising area resources and the advantages to living in the area.

The panel, chaired by Sen. Robert Schmitz (DFL-Jordan) also approved H.F. 489, authored by Sen. Bob Lessard (DFL-Int'l. Falls). The bill gives the Minnesota Municipal Board the authority to administer annexation proceedings between the city of Nashwauk and the town of Nashwauk for non-abutting land. The city plans to use the land for a waste water treatment facility and for economic development.

All of the bills except H.F. 289 were sent to the General Orders calendar.

## Public Utilities and Energy

### Utility rate review bill okayed

A bill requiring that the Public Utilities Commission annually review the rate of return authorized for each public utility gained the endorsement of the Public Utilities and Energy Committee at an evening hearing Thurs., Apr. 9. The bill, S.F. 1194, authored by committee chair Ronald Dicklich (DFL-Hibbing), also provides that if the PUC determines that the rate of return is either excessive or inadequate, the rate be appropriately revised and that the utility revise its rates accordingly. The PUC would also be required to consider income earned by the utility from non-utility sources in determining the revenue requirements of the public utility in a general rate case.

### Tax Reform Act rate adjustments bill heard

Panel members devoted the entire Tues., Apr. 14, hearing to discussion of a bill that would permit the Public Utilities Commission to order a public utility or telephone company to adjust its rates based on the impact of the federal Tax Reform Act of 1986 on the company's revenue requirements. The committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), adjourned before any formal action was taken on the measure. S.F. 1191, authored by Sen. John Marty (DFL-Roseville) permitted the PUC to order adjustments in rates after an expedited proceedings and to order any refund retroactive to July 1, 1987. The measure also specified that the expedited proceeding could take up to 80 days to complete. Finally, the bill also allows a utility or telephone company to have rates adjusted through a general rate case.

Proponents of the measure from the PUC argued that the bill would prevent "windfall profits" and would allow savings to be passed along to consumers. The measure ran into stiff opposition though, from representatives of the utility companies who argued that the bill was unfair because it focused on a single event and did not allow for rate adjustments in the other directions.

## Taxes and Tax Laws

### Opinions on services sales tax heard

The Sales Tax Division, chaired by Sen. LeRoy Stumpf (DFL-Plummer), resumed testimony on S.F. 1278, the bill which would extend the state's sales tax to services, at an evening meeting, Mon., Apr. 13.

The four-hour hearing provided a forum for opponents of the measure to list their concerns. Among them were Jeffery Pope, representing Custom Research, Inc., a marketing and survey research firm which has clients nationwide. Pope said the sales tax would encourage large Minnesota corporations to buy their marketing research from firms outside the state and would give many business service companies an incentive to move to other

states where there is no tax on services.

Representatives from advertising, broadcasting and other service businesses, including David Crary, owner of Four Season Self-Service Car Washes, spoke against the measure. However, a representative from the League of Minnesota Cities, Donald Slater, spoke in support of the bill. According to Slater, the LMC supports broadening the state's tax base because it will contribute to revenue stability and because it will provide property tax relief for local government services.

Sen. Douglas Johnson (DFL-Cook), author of the bill, has said that the plan is an alternative to raising property and income taxes.

According to Johnson, S.F. 1278 will be incorporated into an omnibus tax package as the session progresses. The Taxes and Tax Laws Committee will be making decisions on which services the tax will be applied.

## Transportation

### Public Safety Omnibus bill okayed

Members of the Transportation Committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), met Tues., Apr. 14, and approved the Public Safety Omnibus bill, authored by Sen. Jim Vickerman (DFL-Tracy). S.F. 1280 contains a number of provisions such as reducing the number of vehicles that are required to provide proof of having paid the federal heavy vehicle use tax by raising the minimum weight of those vehicles that need to report in from 33,000 pounds to 55,000 pounds; increasing the number of hours a trip permit is valid on Minnesota highways from 96 hours to 120 hours; permitting the disclosure of an accident victim's age to the press; and requiring that when an emergency vehicle is driving down a one-way road, drivers must move immediately to the closest edge or curb, not just to the right hand side of the road. S.F. 1280 was referred to the Judiciary Committee.

Another measure approved by the committee, S.F. 988, states that charter carrier drivers with a school bus endorsement do not have to have carry a medical examiner's certificate with them.

Panel members also sent to the Senate floor a resolution to the President of the United States and Congress recommending that states be given more authority to regulate interstate pipelines.

## Floor Action

### Six year license plates passed

The plan to issue license plates for six years gained final passage on a close 34-25 roll call vote at the Mon., Apr. 13, Senate session. The bill, S.F. 63, authored by Sen. Marilyn Lantry (DFL-St. Paul),

differs from the original bill in that the amended version authorizes the fee payment for the plates to be extended over the entire six year period. Sen. Gregory Dahl (DFL-Coon Rapids) urged that the Senate defeat the measure because of the costs to consumers, however supporters of the bill prevailed.

Senators also granted final passage to three additional bills on the Senate Calendar and to two measures on the Consent Calendar. S.F. 593 (Berglin) clarifies statutes relating to the pre-admission screening program to allow for one person to constitute a screening team. S.F. 248 (Peterson, D.C.) insures the availability of absentee ballots for statewide elections. S.F. 557 (Lantry) provides for a charter commission to recommend a form of county government for Ramsey County and provides for the adoption of the new charter. S.F. 464 (Wegscheid) authorizes counties to retain four percent of the daily fees collected for cross county ski licenses. S.F. 614 (Dahl) authorizes the commissioner of natural resources to set the date for the annual "Take a Kid Fishing Weekend."

In other action, Senators debated and granted preliminary approval to a number of bills on the General Orders Calendar. S.F. 793, authored by Dahl, makes several amendments to the lemon car law for new cars. The bill specifies that the period be extended from one to two years and requires a mandatory arbitration process. H.F. 28, authored by Sen. Richard Cohen (DFL-St. Paul), extends the EFT law to terminals located on bank premises and permits certain advertising relating to an electronic financial terminal. H.F. 250 (Wegscheid) requires anyone born after Dec. 31, 1972, except non-resident individuals under the age of 16, to have a firearms safety certificate in order to hunt big game. S.F. 348 (Novak) changes the treatment of current value credits and modifies the cost allocation system of the Metropolitan Waste Control Commission.

S.F. 424 (Berglin) provides a standard for the disclosure of a reporter's name under the child abuse reporting act. S.F. 783 (Solon) requires automatic location identification for 911 answering points if the answering point has the technological capability. S.F. 1015 (Lantry) makes changes to the statutes regulating boilers and their operation. S.F. 737 (Berglin) requires the board of medical examiners to release a summary of the information about disciplinary investigations and proceedings to the individual who made the complaint. H.F. 554 (Pehler) allows a second vehicle to obtain a state park permit at half price and provides for reciprocity with Wisconsin for visitors to Interstate Park.

S.F. 1110 (Piper) regulates mediation, fact finding and other functions of the bureau of mediation services and provides for violations of the labor union democracy act. S.F. 916 (Belanger) provides for a permanent partial disability rating for certain losses under workers' compensation. S.F. 494 (Gustafson) clarifies that Duluth Airport Authority employees hired after a specific date are not covered by any civil service system. S.F. 469 (Wegscheid) regulates food vending machine inspection fees.

# Preview

## The Minnesota Senate Week at a Glance

Monday, April 20, 1987

**Finance Committee Health and Human Services Division, Chair:**  
Don Samuelson  
8:00 AM Room 123 Capitol  
**Agenda:** Allotations: Dept. of Human Services. Meeting will continue at 4:00 PM Room 123 Capitol.

**Agriculture Committee, Chair:** Charles Davis  
10:00 AM Room 112 Capitol  
**Agenda:** H.F. 575-S.F. 1401-Stumpf: Resolution regarding FmHA participation in mediation. S.F. 1392-Frederickson, D.J.: Wheat protein.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**  
10:00 AM Room 123 Capitol  
**Agenda:** Allocations.

**Health and Human Services Subcommittee on Social Services and Government Administration, Chair: Pat Piper**  
10:00 AM Room 125 Capitol  
**Agenda:** S.F. 620-Hughes: M.I. eliminates SLR's, establishes 3rd level of care. S.F. 790-Berglin: Mental health.

**Judiciary Committee Civil Law Division, Chair: Tad Jude**  
10:00 AM Room 107 Capitol  
**Agenda:** S.F. 705-Jude: Unlawful utility meter bypass, tampering. S.F. 491-Spear: Disability discrimination in employment. S.F. xxx-Spear: Termination of parental rights by adoptive parents.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 232-Cohen: Victims rights impact statement. S.F. 458-Jude: Defining controlled substance purity measure. S.F. 742-Jude: Competency of children under age 10, persons of unsound mind and intoxicated persons as witnesses.

**Economic Development and Housing Committee, Chair: Don Frank**  
12:00 AM Room 15 Capitol  
**Agenda:** S.F. 1454-Beckman: Authorizing DEED to enter into certain collaborative activities with small business development centers. S.F. 1189-Cohen: Single-metered residential buildings. S.F. 1468-Pogemiller: Creating an international music and communication arts center task force. S.F. 468-Reichgott: Institute for invention and innovation.

**Environment and Natural Resources Subcommittee on Public Lands and Waters, Chair: Steven Novak**  
12:00 Noon Room 123 Capitol  
**Agenda:** S.F. 777-Dahl: Forest fire fighting expenses restored to fund of origination. S.F. 756-Ramstad: Minnehaha Creek watershed. S.F. 1291-Frederick: Sale/conveyance state owned lands to city of Owatonna.

**Local and Urban Government Committee, Chair: Bob Schmitz**  
12:00 Noon Room 107 Capitol  
**Agenda:** H.F. 1444-S.F. 1322-Lessard: Towns; procedures for their organization and dissolution. H.F. 1416-S.F. 1303-Peterson, D.C.: Appointment of the director of the office of Emergency Preparedness. H.F. 1223-S.F. 1213-Samuelson: Morrison County: removing special qualifications for newspapers. H.F. 1260-S.F. 1190-Kroening: Mpls; Park and Recreation Board. H.F. 1043-S.F. 1241-Wegscheid: Met. Council; qualification for commission members. H.F. 1236-S.F. 1162-Pogemiller: G.O. Bonds for skyways. Bills ; not heard will be continued on Thursday.

**Employment Subcommittee on Injured Workers Compensation, Chair: A.W. "Bill" Diessner**  
1:00 PM Room 112 Capitol  
**Agenda:** Health care providers will speak regarding collection difficulties in connection with workers' compensation claims.

Senate will be in session at 2:00 PM

**Education Committee Education Aids Division, Chair: Randolph Peterson**  
Room 15 Immediately following session prior to full committee  
**Agenda:** Final action on Omnibus Education Aids bill.

**Education Committee, Chair: James Pehler**  
3:00 PM Room 15 Capitol  
**Agenda:** S.F. 583-Peterson, R.W.: Omnibus Education Aids bill.

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 107 Capitol  
**Agenda:** Allocations.

**Commerce Subcommittee on Consumer Protection, Chair: Gregory Dahl**  
4:00 PM Room 112 Capitol  
**Agenda:** S.F. 18-Dahl: Used car arbitration.

## Tuesday, April 21, 1987

**Employment Committee, Chair: Florian Chmielewski**  
8:00 AM Room 107 Capitol  
**Agenda:** S.F. 1251-Chmielewski: Minimum wage. H.F. 715/S.F. 1161-Chmielewski: Unemployment compensation; employer contribution and benefit revisions. S.F. 1347-Chmielewski: Workers comp. S.F. 430-Gustafson: Unemployment insurance.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**  
8:00 AM Room 123 Capitol  
**Agenda:** Allocations: Dept. of Human Services.

**Transportation Committee, Chair: Clarence Purfeerst**  
8:00 AM Room 112 Capitol  
**Agenda:** S.F. 228-Davis: Taxation of pickup trucks with carrying capacity of 2,000 pounds or less. H.F. 542-Davis: Alternative procedure to record town roads. S.F. 634-Benson: Seven characters on personalized license plates. H.F. 813-Metzen: Bicycles using shoulder of roadway to ride in same direction as adjacent vehicular traffic. S.F. 1188-Knaak: Providing for operation by certain police depts. and sheriff's offices of specially marked vehicles for highway traffic law enforcement. S.F. 29-Belanger: Limited licenses for homemakers.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 1191-Marty: Rate adjustments. H.F. 152-S.F. 595-Johnson, D.J.: Payment location. S.F. 1267-Marty: Energy conservation. H.F. 1390-S.F. 1367-Dicklich: Public utility proceedings. S.F. 144-Waldorf: Inter-LATA telephone deregulation. S.F. 677-Dicklich: Telecommunication competitive services deregulation.

**Commerce Subcommittee on Insurance, Chair: William Luther**  
12:00 Noon Room 107 Capitol  
**Agenda:** S.F. 478-Luther: Omnibus insurance bill.

**Health and Human Services Subcommittee on Health and Health Financing, Chair: John Brandl**  
1:00 PM Room 15 Capitol  
**Agenda:** S.F. 612-Berglin: Nursing home moratorium.

**Finance Committee, Chair: Gene Merriam**  
3:00 PM Room 123 Capitol  
**Agenda:** S.F. 61-Berg: Farmer-Lender Mediation deficiency. S.F. 90-Novak: Pipeline Safety Act. S.F. 200-Dahl: New highway 10 development, Anoka County. S.F. 449-Stumpf: Caboose car to be equipped with short wave radio. S.F. 973-Merriam: Conservation officer training. H.F. 26-S.F. 56-Chmielewski: Workers comp - state insurance fund. Confirmation hearing - Jay Kiedrowski, State Finance Dept.

**Taxes and Tax Laws Committee, Chair: Douglas Johnson**  
3:00 PM Room 15 Capitol  
**Agenda:** S.F. 1-Moe, R.D.: Economic Development Act. S.F. 506-Morse: Low-income housing credit. S.F. 748-Freeman: Special assessment for highway sound barriers. S.F. 760-Langseth: Becker Co. tax-forfeited land conveyance. S.F. 852-Metzen: Exempt propane fuel for permit vehicles. S.F. 956-DeCramer: Drainage law definitions. S.F. 971-Pogemiller: Public Finance Bill. S.F. 1210-Berglin:

Increase cigarette tax to create health insurance program. S.F. 1296-Berglin: Gillette hospital tax exemption. S.F. 1331-Dahl: Lemon car MVET refund. S.F. 1441 Moe, R.D.: Reduction in property taxes on destroyed nonhomestead property. H.F. 955-Marty: Roseville Port Authority.

**Judiciary Committee Criminal Law Division, Chair: Donna Peterson**

7:30 PM Room 123 Capitol

**Agenda:** S.F. 220-Spear: Criminal trial procedures; joinder of defendants; preemptory challenges; jury summation. S.F. 1259-Marty: Murder, manslaughter for supplying a controlled substance that results in death. S.F. 1422-Cohen: Criminal sexual conduct, domestic abuse fine to fund victim programs. S.F. 1472-Spear: DWI chemical dependency evaluation, mandatory treatment. Any bills not heard on 4/20 and any additional referrals.

### Wednesday, April 22, 1987

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

8:00 AM Room 123 Capitol

**Agenda:** Allocations. Meeting will continue at 3:00 PM Room 125 Capitol.

**General Legislation and Public Gaming Committee, Chair: Bob Lessard**

8:00 AM Room 107 Capitol

**Agenda:** Confirmations to: Board of Arts, Charitable Gambling Control Board, and Racing Commission.

**Agriculture Committee, Chair: Charles Davis**

10:00 AM Room 112 Capitol

**Agenda:** S.F. 1234-Bertram: Control of pseudorabies in swine herds. S.F. 1209-DeCramer: Providing a cattle export program.

**Finance Committee Agriculture, Transportation, and Semi-States Division, Chair: Keith Langseth**

10:00 AM Room 123 Capitol

**Agenda:** Allocations.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 682-Lantry: Child support, paternity, teenage mothers sections of omnibus welfare reform bill cont. S.F. 412-Luther: Environmental protection, public health and safety liens. S.F. 905-Lessard: State trust land lost timber contract revenues. S.F. 953-Chmielewski: Recording of deeds.

Senate will be in session at 12:00 Noon.

**Health and Human Services, Chair: Linda Berglin**

1:00 PM Room 15 Capitol

**Agenda:** All bills completing subcommittees on April 20 and 21. S.F. 786-Berglin: Limits reimbursement GMAC. S.F. 473-Brandl: Health study exposure low level ionizing radiation. H.F. 56-S.F. 826-Novak: Ecological mosquito research. S.F. 921-Piper: Designating certain counties eligible entities for community action funds. S.F. 1453-Piper: Requires notification to spouse of nursing home resident. S.F. 1389-Berglin: Indian juvenile correctional facility Hennepin County. S.F. 1253-Piper: Provides training for welfare fraud prosecutors and investigators, etc. S.F. 1073-Piper: Vocational rehabilitation.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 123 Capitol

**Agenda:** Remaining allocations.

**Finance Committee State Departments Division, Chair: Carl**

Kroening

3:00 PM Room 112 Capitol

**Agenda:** Allocations.

**Taxes and Tax Laws Committee, Chair: Douglas Johnson**

3:00 PM Room 15 Capitol

**Agenda:** To be announced.

### Thursday, April 23, 1987

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** H.F. 715-S.F. 1161-Chmielewski: Unemployment compensation employer contribution and benefit revisions.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**

8:00 AM Room 123 Capitol

**Agenda:** Allocations.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 107 Capitol

**Agenda:** Any bills not heard Tuesday. To be announced.

**Economic Development and Housing Committee, Chair: Don Frank**

12:00 Noon Room 15 Capitol

**Agenda:** S.F. 1437-Brandl: Review of state funded scientific and technologically related research. S.F. 993-Peterson, D.C.: Low income housing grants. S.F. 1249-Peterson, D.C.: Small business definition modification. S.F. 1417-Dahl: Economic development entities participation in secondary markets.

**Local and Urban Government Committee, Chair: Robert Schmitz**

12:00 Noon Room 107 Capitol

**Agenda:** Balance of agenda from Monday, April 20, plus any additional bills.

Senate will be in session at 2:00 PM

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Allocations.

**Judiciary Committee, Chair: Allan Spear**

7:30 PM Room 15 Capitol

**Agenda:** H.F. 308-S.F. 706-Marty: Exposure of minors to harmful sexually explicit material. H.F. 375-S.F. 586-Marty: Corrections Dept. bill. H.F. 427-S.F. 390-Spear: DWI ordinance and juvenile violations. H.F. 590-S.F. 391-Spear: Extended probation for misdemeanor DWI, assault. H.F. 690-S.F. 690-Reichgott: DWI urine, blood testing. H.F. 816-S.F. 265-Jude: DWI Prior conviction information; limited license violation penalty. S.F. 392-Spear: Impounding of license plates for repeat DWI offenses. S.F. 421-Merriam: White collar crime. S.F. 818-Dahl: Hazardous waste violation penalties. S.F. 868-Spear: Public guardianship standards, procedures. S.F. 882-Berglin: Possession of condemned property. S.F. 992-Peterson, D.C.: BWI implied consent. S.F. 1156-Peterson, D.C.: Nuisance abatement procedure for multiple prostitution, gambling, and liquor violators. S.F. 1199-Spear: Unauthorized exercise of peace officer powers. S.F. 1205-Luther: Additional judgeships. S.F. 1250-Peterson, D.C.: Hennepin County unlawful detainer procedures, fees. S.F. 1321-Luther: Limiting restoration of right of ex-felon to possess firearms. S.F. 1351-Luther: Hennepin County Medical Center trade secrets. S.F. 1280-Vickerman: Omnibus Dept. of Public Safety bill.

### Friday, April 24, 1987

**Finance Committee Health and Human Services Division, Chair:**

Don Samuelson

8:00 AM Room 123 Capitol

**Agenda:** Allocations.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** To be announced.

**Finance Committee Agriculture, Transportation, and Semi-States**

**Division**, Chair: Keith Langseth

10:00 AM Room 123 Capitol

**Agenda:** Bill hearings. To be announced.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** H.F. 147-S.F. 374-Peterson, D.C.: Intimidating a witness.

H.F. 151-S.F. 372: Peterson, D.C.: Crime victims reparations. H.F. 270-S.F. 439-Piper: Notification of biological parent of death of adopted child. H.F. 318-S.F. 301-Spear: Criminal sexual conduct by impersonating a health professional. H.F. 470-S.F. 443-Spear: Artificial insemination records. H.F. 687-S.F. 447-Frederickson, D.R.: Release of birth dates of persons involved in traffic accidents resulting in death, injury. H.F. 713-S.F. 689-Marty:

Revisor's bill - text corrections. H.F. 1034-S.F. 455-Spear:

Marijuana petty misdemeanor records. H.F. 1197-S.F. 1163-

Marty: Revisor's bill - grammar and syntax. S.F. 189-Jude:

Commencement of visible improvement for mechanic's

lien. S.F. 591-Peterson, R.W.: Access to data on residents of

facilities for the mentally retarded. S.F. 828-Reichgott:

Child abuse reporting requirements. S.F. 854-Cohen:

DEED access to DJT employer data. S.F. 1046-Solon:

Discrimination against physically disabled persons with guide dogs.

**Health and Human Services Committee**, Chair: Linda Berglin

1:00 PM Room 15 Capitol

**Agenda:** All items not completed on Wed., Apr. 22.

**Finance Committee Education Division**, Chair: Gene Waldorf

3:00 PM Room 125 Capitol

**Agenda:** Review bill.

**Finance Committee State Departments Division**, Chair: Carl

Kroening

3:00 PM Room 123 Capitol

**Agenda:** Allocations.

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## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

The responsibilities of each branch of government differ, and no branch of government is given power over another. This system of "checks and balances" assures that no single group can dominate the workings of government.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

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## The Minnesota Senate Week in Review

April 24, 1987

### Panel authorizes funds for MEED program

The Finance Subcommittee on Health and Human Services disregarded the governor's recommendation to eliminate the state's wage-subsidy program and tentatively authorized \$25 million in funding over the next two years to keep the program running. The committee's action came during the Wednesday, April 22, meeting, when members continued their preparation of the omnibus health and human services funding bill.

Initiated in 1983, the Minnesota Employment and Economic Development (MEED) program provides state subsidies to companies who hire unemployed workers. For every worker hired, the employer could receive up to \$5 an hour for six months. The company may keep the state money if the worker is employed for a year after the subsidy ends.

More money also would be available for child care services, according to the division's preliminary plan. Chaired by Sen. Don Samuelson (DFL-Brainerd), committee members Wednesday endorsed about a \$14 million biennial increase in child care spending.

Final action on the spending plan will not take place until the committee has completed its budget allocations.

### Panel approves S.F. 1 and cigarette tax

The Taxes and Tax Laws Committee endorsed the Economic Development Act, S.F. 1, following lengthy discussion of the measure Tues., Apr. 23.

The bill, sponsored by Majority Leader Roger Moe (DFL-Erskine), creates the Greater Minnesota Corporation, a private non-profit agency, to encourage economic growth through grants and loans for research and investment in new businesses and products. The bill also shifts programs among state agencies and creates some new entities including the State Independent Grants Program, the Minnesota Public Utilities Authority, the Rural Development Board, the Mineral Coordinating Committee and the Minnesota Development Board. Before sending the bill to the Finance Committee, the panel added an amendment offered by committee chair Douglas Johnson (DFL-Cook) allowing the Minnesota Development Board to set interest rates for loans at a rate lower than the eight percent established in the bill.

An amendment, offered by Sen. Jim Gustafson (IR-Duluth), requiring that the city and/or private investors make a two for one match for neighborhood revitalization grants in the cities of Minneapolis and St. Paul, was first approved and later defeated following a motion to reconsider by Sen. James Pehler (DFL-St. Cloud).

Another major bill approved by the committee and re-referred to the Finance Committee was S.F. 1210, authored by Sen. Linda Berglin (DFL-Mpls.). The measure adds a 15 cent tax increase to each pack of cigarettes sold. The revenue raised from the tax will be distributed among a public health fund (one cent), a sliding fee health insurance fund (three cents), the general fund (seven cents), and a debt service fund (four cents).

The committee approved and sent to the Senate floor eight other measures. Approved were: S.F. 971 (Pogemiller) allowing the Metropolitan Sports Commission to waive admission taxes; S.F. 748 (Freeman) authorizing the city of Bloomington to institute a special levy for highway noise barriers along 35W; S.F. 956 (DeCramer)

amending drainage laws; S.F. 1441 (Moe, R.D.) allowing local units of government to reduce property taxes on non-homesteaded property; S.F. 852 (Metzen) exempting certain vehicles from gasoline excise taxes; H.F. 955 (Marty) amending Roseville Port Authority statutes; and S.F. 760 (Langseth) allowing conveyance of certain tax-forfeited land to a previous owner. S.F. 1296 (Berglin), granting tax exempt status to the Gillette Children's Hospital, was sent to the Consent Calendar.

### Minimum wage bill okayed

The minimum wage for workers over age 18 will be raised 45 cents per hour over a three year period, according to a bill approved by the Employment Committee Thurs., Apr. 23.

Sen. Marilyn Lantry (DFL-St. Paul), sponsor of H.F. 3, said the bill differentiates between federal and state covered employee earnings to accommodate large and small businesses.

The minimum wage, currently at \$3.35 per hour, will be raised to \$3.95 per hour Jan. 1, 1990, for workers covered under the Federal Fair Standards Act.

Minimum wages for employees covered by the Minnesota Fair Labor Standards Act will receive \$3.80 per hour beginning Jan. 1, 1990.

Federally covered employees under age 18 will earn \$3.65 per hour on Jan. 1, 1990, and state covered employees under 18 will earn \$3.42 an hour on Jan. 1, 1990.

The committee approved an author's amendment to the bill providing that federal or state covered employees earning at least \$35 per month in gratuities will receive 20 cents per hour less until Jan. 1, 1989, when they will be phased in to the full increase.

The committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), also approved an unemployment insurance measure, S.F. 1161, authored by Chmielewski, providing for changes in the base period for determining benefits and providing for additional benefits to employees who lost their jobs due to plant closings. The additional benefits will be made retroactive to July 1, 1985, to employees meeting the following requirements: is one of at least 50 employees laid off from a facility employing 100 or more workers; the employer does not intend to rehire the employee; and if the closed plant was located in a county with at least a 10 percent unemployment rate.

Nancy Christianson, representing the Minnesota Chamber of Commerce, said, "The business community adamantly opposes this bill." Unemployed workers will have easier access to benefits and the amount of benefits paid will rise due to the change in the procedure for determining benefits, according to Christianson.

An alternative unemployment insurance measure, S.F. 430, authored by Sen. Jim Gustafson (DFL-Duluth) was discussed and rejected by the committee. Gustafson said his bill was more generous to long-term, steady workers and less generous to seasonal, part-time and repetitive users of the unemployment insurance system. Provisions of S.F. 430 included requiring unemployed workers to accept new jobs paying 75 percent of their former wages and provided additional benefits to unemployed workers who held a job for long periods of time.

In other action, the committee approved and sent to the Senate floor S.F. 393 (Reichgott) limiting unemployment benefit charges to fire departments and emergency transportation services.

# Committee Capsule

## Agriculture

### Panel endorses resolution

The Agriculture Committee Mon., Apr. 20, approved a House-Senate concurrent resolution memorializing Congress to direct the Farmers Home Administration to participate in and cooperate with the state's Farmer-Lender Mediation Program.

Sen. LeRoy Stumpf (DFL-Plummer), sponsor of H.F. 575, said if Congress would direct the FmHA to "remove the road block the federal agency has put in the mediation program," the process would run much more efficiently.

The Farmer-Lender Mediation Program, established in 1986 as part of the Rural Relief Act, brings farmers and lenders together to resolve conflicts over farm debts. The FmHA holds approximately 10,500 farm accounts in Minnesota through a variety of loan programs, making them integral to the mediation program, according to Stumpf. The measure was sent to the Senate floor.

The committee, chaired by Sen. Charles Davis (DFL-Princeton), also approved and sent to the full Senate H.F. 1120, sponsored by Sen. David Frederickson (DFL-Murdock), amending existing grain grading and testing statutes. Provisions of the bill include: adding moisture content and protein content to the factors used in establishing the market price of grain; establishing a procedure for taking grain samples and having them certified by the Dept. of Agriculture; and allowing appeal of the department's decision on certification under the Grain Standards Act.

### Psuedorabies bill supported

A measure appropriating funds for the eradication of psuedorabies in Minnesota swine herds was approved Wed. Apr. 22, by the Agriculture Committee.

Sen. Joe Bertram (DFL-Paynesville), sponsor of S.F. 1234, said the disease which affects the nervous system of dogs, sheep and goats in addition to pigs, has been eliminated in many states and that Minnesota is behind in controlling the disease.

Because committee members were concerned about the bill's \$719,000 appropriation, it was suggested that the measure be consolidated with S.F. 1, the Economic Development Act. Sen. Michael Freeman (DFL-Richfield) said a matching fund program, with swine producers sharing in the cost of the eradication program, would have a better chance of passage. The bill was re-referred to the Finance Committee.

The panel, chaired by Sen. Charles Davis (DFL-Princeton), laid over for interim study H.F. 1243 (DeCramer) providing money to encourage cattle exports.

## Commerce

### Panel debates fund raising practices

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), met Tues., Apr. 21, and continued to work on S.F. 463, the Securities and Real Estate Omnibus bill, authored by Sen. William Luther (DFL-Brooklyn Park).

An amendment to S.F. 463, offered by Sen. Carl Kroening (DFL-Mpls.), allowing only charitable organizations that distribute contributions to 50 or more non-profit agencies to solicit state employee donations for a period of no more than 60 consecutive days, failed after considerable debate. Sen. Glen Taylor (IR-Mankato), supported the amendment allowing the United Way exclusive rights saying that "we want to encourage solicitation, but we can't have every charitable organization coming to state employees for solicitation."

After testimony against the amendment was heard from the United Arts Fund, which would be excluded from the 60-day solicitation period because they do not distribute their contributions

to as many as 50 agencies, Sen. Allan Spear (DFL-Mpls.) told panel members and a full audience that "whether it's the Arts Fund or the United Way, we do not have the right to make a choice for state employees as to who they want to be solicited by."

An amendment presented by the attorney general's office and approved by the panel requires that a charitable organization soliciting contributions pay an annual registration fee of \$25 and a financial statement to the attorney general's office. The amendment also requires that professional fund raisers be licensed and pay an annual registration fee of \$50.

### Committee endorses Omnibus Insurance bill

The Commerce Committee Wed., Apr. 22, sent to the Judiciary Committee S.F. 478, the Omnibus Insurance bill, authored by Sen. William Luther (DFL-Brooklyn Park).

If the proposal is enacted, minimum benefits for mental health coverage would be imposed, discriminatory treatment of maternity benefits would be prohibited, and employees who are voluntarily or involuntarily laid off would be allowed to continue their insurance coverage.

The proposal also requires that a study be conducted to determine the feasibility of establishing a program that would provide medical insurance to low income persons who have no medical insurance. In addition, the plan requires that a study be conducted to evaluate home health care concerns, services and costs.

The bill requires that insurance companies or agents provide at least a 10 percent premium reduction to persons 55 years or older who have completed an accident prevention course, requires a cap on collision damage waiver fees charged by rental car companies, and requires that no-fault premiums for senior citizens be adjusted to provide for those who are not able to collect benefits such as wage loss.

The measure also sets the Guaranty Association Board membership at seven insurers and two public members. The bill requires that the Guaranty Association reduce claim policy inequities by removing a \$100 deductible for earned premium claims and requires that condominium, townhouse or cooperative unit owners have a separate insurable interest.

### Bill regulating interest rate ads okayed

A measure that would require that the annual yield on the interest rate of an investment product be disclosed when advertised was approved by the Commerce Committee Thurs., Apr. 23. H.F. 450, sponsored by Sen. Ember Reichgott (DFL-New Hope), also requires that an advertisement promoting an investment product whose interest rate has changed may not advertise the projections of the effective annual yield for a period more than one year. According to Reichgott, if either of these provisions are violated, the person responsible for the advertisement may be charged with a misdemeanor penalty. H.F. 450 was sent to the Senate floor.

The committee also endorsed S.F. 463, the Securities and Real Estate Omnibus bill, authored by Sen. William Luther (DFL-Brooklyn Park). Provisions of the bill include: regulating business financial planning; restricting charges made by investment advisors and broker dealers; requiring the disclosure of interest rate commitments; regulating real estate brokers and salespersons; transferring the authority of regulating charitable organizations from the commissioner of commerce to the attorney general; and regulating the retention of abstracts of title to real property. S.F. 463 was re-referred to the Judiciary Committee.

Another measure sent to the Judiciary Committee, H.F. 285, re-enacts amendments to the Dram Shop Act. According to bill sponsor Sen. Don Samuelson (DFL-Brainerd), the Dram Shop Act was amended in 1985 but the court of appeals inadvertently threw the amendments out. H.F. 285 not only reinstates those amendments but prevents professionals or organizations of professionals from

being liable for damages in a case where a professional is being reviewed — unless the filer of complaint was motivated by malice.

Three other measures were sent to the Senate floor. H.F. 444, sponsored by Sen. Michael Freeman (DFL-Richfield), prohibits insurance companies or agents from endorsing or promoting particular morticians, funeral directors, or funeral establishments.

S.F. 666, carried by Sen. Allan Spear (DFL-Mpls.), relates to credit unions and requires that the commissioner of commerce consider separately each group wanting to establish a credit union. Spear noted that a "group" must consist of at least 1,500 persons.

The final measure sent to the Senate floor, H.F. 294, sponsored by Sen. Sam Solon (DFL-Duluth), allows temporary liquor licenses to be issued to municipalities. An amendment offered by Spear, and adopted, allows brewers or malt liquor wholesalers to engage in cooperative advertising agreements with retailers selling non-alcoholic beverages. The amendment also allows a governing body of a city to issue temporary licenses to sell off-sale vintage wine at an auction.

## Economic Development and Housing

### Invention and innovation proposal advances

Members of the Economic Development and Housing Committee met Mon., Apr. 20, and acted on four bills. S.F. 468, authored by Sen. Ember Reichgott (DFL-New Hope), provides for appropriating money to fund a non-profit invention/innovation center. The proposal allows the Minnesota Historical Society to award the center a grant to establish the Institute for Invention and Innovation and to implement a support system. After its fourth hearing, the proposal was sent to the Committee on Finance.

Another measure sent to the Committee on Finance, S.F. 1454, authored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the Bureau of Small Business within the Department of Energy and Economic Development to work with small business development centers by providing financial analysis information, new product development assistance, and management and business planning assistance.

S.F. 1404, sponsored by Sen. Douglas Johnson (DFL-Cook), allows the Lake County Housing and Redevelopment Authority (HRA) to exercise certain port authority powers. Under current law, according to Johnson, the Lake County HRA has the authority to lease or rent building facilities, but does not have the power to construct a building. Johnson said that the enactment of this measure would not mean that the Lake County HRA would authorize additional levies, but would allow the HRA to use tax increment financing to construct a building. S.F. 1404 was sent to the Committee on Taxes.

A final measure presented to the committee, S.F. 1189, authored by Sen. Richard Cohen (DFL-St. Paul), provides for placing the responsibility of gas and electricity payments in single-metered residential buildings with the landlord. The proposal also requires that the landlord contract for or pay for the services provided by the utilities companies, or else set up options with the tenants to pay the landlord for the services. According to Cohen, an option may be that the tenants pay the utility bill to the company and deduct the amount paid from the rental payment due to the landlord. Another provision of the measure requires that the utility company post a notice on or near the building when service is to be disconnected if a landlord fails to pay an outstanding bill.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), laid S.F. 1189 over.

## Education

### Omnibus Education bill advances to Taxes

Shortly after the Education Aids Division met Mon., Apr. 20, and officially approved the Omnibus Education bill, the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), convened and prepared to send S.F. 583 to the Committee on Taxes.

The Omnibus Education bill, authored by Sen. Randolph Peterson (DFL-Wyoming), appropriating \$2.96 billion over the next biennium for elementary and secondary education in the state. The bill allocates \$2.2 billion dollars for foundation aid and includes appropriations for revenue for retirement aid, summer program aid and levy, secondary vocational aid, and other various categorical aids.

According to Peterson, the measure, which proposes to provide a more simplified foundation aid formula, sets the foundation aid per pupil unit at \$1,700 in school year 1987-1988 and folds the tier, categorical aids and compensatory education revenue into a new formula in FY 1989, resetting the per pupil unit at \$2,724 and imposing a mill rate of 34.8 mills.

The proposal also redefines AFDC per pupil units to include the AFDC concentration units specified in current statutes, eliminates the secondary vocational levy for intermediate school districts, and prohibits participating school districts from levying more than six-tenths of a mill for special education expenses.

In addition, the plan provides for extending special education services to every child in need under the age of five, establishes a Community Interagency Committee for handicapped youth and their families, and provides for establishing a resource center for the hearing and visually impaired at the Faribault Academies.

There would be an increase in the amount school districts may receive for handicapped adult programs, said Peterson, noting that school districts would be allowed to levy for the adult handicapped programs pro-rated in the previous three years as a result of budget cuts.

The bill includes a \$42.5 million appropriation to the Department of Education for educational, administrative and financial services, and the Faribault Academies; \$50,000 to the Department of Employee Relations to study the possibility of allowing school district employees to participate in the state health benefit program; and \$4.9 million for the School and Resource Center for the Arts.

Sen. Gen Olson (R-Mound), attempted once again to eliminate funding for the Arts School by offering an amendment that would cut \$1.3 million from the school and resource center proposal. The amendment was defeated by a 10-7 vote.

According to Peterson, his proposal is \$1.3 million less than the governor has recommended and increases kindergarten through 12-grade program funding by eight or nine percent over the next biennium.

S.F. 583 was approved and sent to the Committee on Taxes. Before the bill goes to the Senate floor, it will also go before the Committee on Finance.

### Retired teachers benefit plan okayed

The Education Committee met Wed., Apr. 22, and approved a bill authorizing the Minneapolis School Board to levy up to of one-tenth of a mill for two years in order to subsidize health insurance for school teachers who retired before the teacher fringe benefit program was developed in 1974. According to bill sponsor Sen. Allan Spear (DFL-Mpls.), approximately 70 teachers would be eligible for the subsidy. S.F. 1082 was re-referred to the Committee on Taxes.

Another measure approved by the panel, S.F. 300, establishes chemical abuse pre-assessment teams and community advisory teams. Bill sponsor Sen. Richard Cohen (DFL-St. Paul), said the teams would be set up to deal with increasing drug abuse problems. Under provisions of the measure, the two teams would develop community standards and working relationships to address chemical abuse problems. The pre-assessment team would consist of school teachers, administrators, school nurses, and counselors. The community advisory team would consist of law enforcement officials, superintendents, community leaders, and representatives of the pre-assessment team. Both groups would be responsible for reporting chemical use problems and making corrective recommendations.

S.F. 300 also requires that teachers in participating public and non-public schools notify the school's pre-assessment team when they have reason to believe a student is using or is in possession of alcohol or drugs. The measure was sent to the Judiciary Committee.

# Committee Capsule

The third measure approved by the committee, S.F. 1426, authored by Sen. Betty Adkins (DFL-St. Michael), provides for clarifying the authority of school districts to self-insure for property and casualty coverage. S.F. 1426, supported by the Minnesota School Boards Association, was sent to the Senate floor.

## Elections and Ethics

### Bill changes Mpls. School Board structure

A bill increasing the Minneapolis School Board membership from seven to nine directors beginning with the 1989 election was approved by the Elections and Ethics Committee Wed., Apr. 22. S.F. 1101, authored by Sen. Allan Spear (DFL-Mpls.), also provides for a question to the voters in the Minneapolis school district on whether three of the directors should be elected to represent the district at large and six directors should be elected to represent six different districts within the school district. The measure requires that the directors elected by the district live in the district and allows the Board of Education to determine the boundaries of the six school board districts.

According to Spear, "there is a widespread perception that school boards are out of touch with the people. As a result, many parents are taking their children out of the public schools." If the proposal is enacted, the term of the directors elected in 1987 would be limited to two instead of four years. Spear said this would be necessary in order to elect nine directors for four-year terms in 1989. S.F. 1101 was sent to the Senate floor.

Two bills were presented by Sen. Richard Cohen (DFL-St. Paul). S.F. 1243, changes the precinct party caucus time from the third Tuesday in March to the fourth Tuesday in February. The measure was amended by Sen. Douglas Johnson (DFL-Cook), to change the caucus convening time from 8:00 p.m. to 7:30 p.m. and was then sent to the Senate floor. S.F. 1470, laid over for further consideration, requires that the election of caucus delegates begin one hour within the convening time, and changes the time of the state primary from the fourth Tuesday in June to the second Tuesday in August. If enacted, the effective date would be January 1, 1988.

Another measure sent to the Senate floor, H.F. 334, authored by committee chair Sen. Jerome Hughes (DFL-Maplewood), is the secretary of state's housekeeping bill. Provisions of this measure include: removing a candidate's name from a ballot if the candidate's filing fee is returned because of insufficient funds; requiring that ballot cards be used instead of paper ballots at a state or county election where an optical scan voting system is used; and requiring that voted ballots be retained in sealed envelopes and remain unopened in a secure location for at least one year.

Another measure sponsored by Hughes, H.F. 281, allows the secretary of state to authorize experimental mail elections between August 1, 1987 and March 30, 1989 for ballot questions at a county or municipal special election. H.F. 281 was sent to the Senate floor.

The final measure, S.F. 381, sent to the Committee on Finance and sponsored by Sen. Ronald Dicklich (DFL-Hibbing), requires that common school district elections be administered in the same manner as municipal elections. A representative from the secretary of state's office told panel members that the proposal would bring school board elections under current voter registration laws, provide training for election judges, set absentee ballot procedures, and encourage school boards to use the same polling places as other elections.

S.F. 1433, authored by Sen. Steven Morse (DFL-Dakota), presented to the committee Fri., Apr. 10, removing the court of appeals jurisdiction over statewide elections, was sent to the Senate floor. S.F. 432, also presented to the panel on Apr. 10th, eliminating the term "legislative days" and the 120-day legislative day session restriction, was re-referred to the Committee on Rules and Administration. The measure is sponsored by Sen. Donald Moe (DFL-St. Paul).

## Employment

### Special comp fund changes approved

The Employment Committee devoted the Tues., Apr. 21, meeting to hearing amendments to H.F. 1450, the Dept. of Labor and Industry's Workers' Compensation bill. The measure was approved in the final minutes of the meeting and sent to the Senate floor.

Committee chair Florian Chmielewski (DFL-Sturgeon Lake) sponsors the measure which the department said was devised as a temporary solution to problems with the Special Workers' Compensation Fund. Certain benefits to injured workers and certain reimbursements to insurers are paid out of the fund. The fund is financed by assessments on insurers based on their workers' compensation costs.

Committee members presented several amendments to the measure. Those approved include: allowing three or more private employers to jointly self-insure their employees similar to the way large employing corporations may insure their employees; clarifying duties of the Workers' Compensation Advisory Council; and removing an employer's liability for coverage for an injury if the injury was caused by the use of drugs or alcohol. An amendment also shifts the burden of proof from the employer to the employee if the employee was shown, through two tests, to have been under the influence of alcohol or a controlled substance at the time of receiving the injury.

Amendments discussed but not adopted were: revising risk plan insurance regulations, removing restrictions on access to medical data relating to compensation claims; and clarifying when economic recovery compensation, temporary total disability and permanent total disability benefits will be awarded.

## Environment and Natural Resources

### Higher fines for waste violations okayed

Persons convicted of intentionally violating hazardous waste regulations could face stiffer felony penalties, under a bill advanced Tues., Apr. 21, by the Environment and Natural Resources Committee.

Sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), the measure, S.F. 818, raises felony penalties for persons who "knowingly, or with reason to know," unlawfully transport, store, treat or dispose of hazardous waste. A person who intentionally disposes of the material in an unlawful manner could face five years in prison, a \$50,000 fine or both. The penalty would be same for a person found guilty a second time of intentionally mishandling the hazardous waste, including its treatment, storage, transportation and delivery. The greatest penalty increase concerns an intentional act that could endanger someone's life or health. If found guilty of endangerment, a person could face up to 10 years in prison, a \$100,000 fine, or both, and an organization could be fined up to \$1 million.

The bill originally offered a reward to a person providing information that would help convict a hazardous waste violator. However, the committee struck the provision from the bill because the rewards would have been funded by the state's hazardous waste clean-up fund.

The bill was re-referred to the Senate Judiciary Committee.

The proposed pesticide regulation measure also won committee support Tuesday, but not before members adopted an amendment assuring that the regulations would preempt local ordinances. The bill, S.F. 717, sponsored by Sen. Charles Berg (DFL-Chokio), governs pesticide registration, labeling, distribution, sale, handling, use and disposal.

Most of the bill's debate centered on a provision requiring commercial and noncommercial applicators to post warning signs after applying pesticides to turf areas. Currently, some cities order

the signs warning persons to keep children and pets off the applied area to be posted for 72 hours. Under the bill, cities could only require the signs to be posted for 48 hours. The committee rejected attempts to raise and lower the time requirement.

Berg's proposal was re-referred to the Finance Committee.

In other action, the committee, chaired by Sen. Gerald Willet (DFL-Park Rapids), okayed a measure adding Mystery Cave to Forestville State Park. The measure, S.F. 405, carried by Minority Leader Duane Benson (R-Lanesboro), was re-referred to the Finance Committee.

### Charges for acid rain monitoring advance

Minnesota's public utility companies would help fund the PCA's efforts in fighting the state's acid rain problem, under a bill advanced Wed., Apr. 22, by the committee. The measure, S.F. 865, requires the utilities' assessment to cover 60 percent of the agency costs in "achieving, maintaining and monitoring" compliance.

According to Sen. Gregory Dahl (DFL-Coon Rapids), sponsor of the measure, 10 percent of Minnesota's total acid rain deposition is generated within the state. Of that amount, 60 percent results from sulfur dioxide omissions from state utility companies. The assessment, which is determined according to the amount of annual kilowatt-hour sales, would help the PCA address the acid rain problem, Dahl said.

The bill was referred to the Senate floor.

In other action Wednesday, the committee okayed a bill directing the Dept. of Natural Resources to coordinate efforts to curb the growth of the weed purple loosestrife. According to Dahl, sponsor of the measure, the DNR commissioner is planning on declaring the weed noxious. The bill, S.F. 934, requires the agriculture and transportation departments to work with the DNR in fighting the problem. Committee members sent the measure to the Finance Committee, where funds for controlling the weed will be determined.

## Finance

### Pipeline bill wins panel's okay

The bill strengthening pipeline safety measures won the Finance Committee's endorsement Tues., Apr. 21, when panel members approved the measure's funding. Sponsored by Sen. Steven Novak (DFL-New Brighton), the proposal, S.F. 90, was sent to the Senate floor for final action.

To help prepare firefighters and local governments for combating pipeline emergencies, the bill establishes procedures to be followed by governmental units and pipeline companies. The bill creates with the Dept. of Public Safety an office of pipeline safety, which would maintain a data base on pipeline releases and coordinate emergency responses. Pipeline operators would have to file maps of the pipeline systems with the office, the Dept. of Transportation, and local governments. The operators also would file emergency response plans with the office and sheriffs in the counties being crossed by the pipelines. And, local governments would be required to prepare emergency response plans.

Panel members approved about \$400,000 in funding for the bill, and most of the money would finance various administrative functions. Most of that amount—\$345,000—would establish the office of pipeline safety.

A bill requiring trains 2,000 feet or longer to have a caboose also won committee support Tuesday after panel members defeated a motion to send the bill to the Agriculture Committee. The bill, S.F. 449, carried by Sen. LeRoy Stumpf (DFL-Plummer), requires no funding and will next be debated on the Senate floor.

Chaired by Sen. Gene Merriam (DFL-Coon Rapids), the committee sent several other bills to the Senate floor: S.F. 200 (Dahl) allowing Anoka County to loan money to the Dept. of Transportation so plans for construction of Highway 10 may be prepared; S.F. 973 (Merriam) assuring that penalty surcharges on game and fish violations be placed in the game and fish fund; S.F. 56 (Chmielewski) allowing the state compensation insurance fund to

be exercised as a domestic mutual insurance company; S.F. 377 (Marty) changing the name of the State Council for the Handicapped to the Council on Disability; and S.F. 1099 (Lessard) allowing the Dept. of Natural Resources not to bill other states and provinces for indirect firefighting costs, such as salaries.

In other action Tuesday, the committee approved the governor's appointment of Jay Kiedrowski as commissioner of finance.

### Divisions continue budget work

All four finance divisions this week continued tentative allocations in forming the omnibus spending bills.

The Division on State Departments, chaired by Sen. Carl Kroening (DFL-Mpls.), approved base-level funding equal to the 1987 levels for the various state departments. From that amount, committee members will consider various increase requests by the agencies and those recommended by the governor.

The Division on Education, chaired by Sen. Gene Waldorf (DFL-St. Paul), approved two bills and incorporated the appropriations into the omnibus higher education funding bill. According to S.F. 141, carried by Sen. Steven Morse (DFL-Dakota), Winona State University would receive about \$800,000 to institute an undergraduate baccalaureate degree program in composites science and engineering. And, under S.F. 912, authored by Sen. Jerome Hughes (DFL-Maplewood), Metropolitan State University would receive an additional \$1 million to expand their programs.

In their preliminary budget work, the Division on Health and Human Services, led by Sen. Don Samuelson (DFL-Brainerd), authorized \$25 million in spending over the next biennium to maintain the state MEED program. The governor recommended eliminating funding for the wage-subsidy program. In addition, the panel tentatively okayed about a \$14 million biennial increase in child care funding.

The Division on Agriculture, Transportation and Semi-State Agencies, chaired by Sen. Keith Langseth (DFL-Glyndon), began allocations for the Dept. of Transportation.

The four divisions will take final action on the spending measures after allocations are completed.

## General Legislation and Public Gaming

### Bill reorganizes Minnesota Humane Society

The Minnesota Humane Society would be abolished and replaced by a state federation of county and district humane societies, under a plan approved by the committee Thurs., Apr. 23. The legislation, sponsored by Sen. David Frederickson (DFL-Murdock), is in response to action taken by the state humane society in April, 1986, when it temporarily suspended operations due to financial insolvency.

Under the reorganization, the Dept. of Administration would dissolve the Minnesota Humane Society as a non-profit organization and transfer its assets to a state federation of county and district societies. The federation would act independently of the state and become a private, nonprofit organization. And, according to the bill's proponents, the state agency's likely successor would be Minnesota Federated Humane Societies, which consists of a combined membership of over 36,000 persons from various state county and district societies.

In addition, the bill, S.F. 1452, permits a group of two or more counties or parts of the counties to form a district humane society. The committee referred the measure to the Senate floor.

The committee also okayed a bill prohibiting an animal dealer from transferring an animal to a research institution without permission from the owner. The measure, S.F. 757, further requires dealers and kennels to keep accurate records on animal transactions and to open their facilities to the public four hours per day. Sen. Lawrence Pogemiller (DFL-Mpls.), sponsor of the bill, said the intent of the legislation is to prevent dealers from selling dogs or cats for research before the owners have time to locate their missing pets.

# Committee Capsule

The bill also requires dealers to post notices explaining that dogs and cats left with the dealer may be used for research purposes. The bill was referred to the Senate Finance Committee.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also okayed a bill establishing a St. Anthony Falls heritage interpretive zone and heritage board. Funds for the measure, S.F. 1413, also carried by Pogemiller, will be determined by the Finance Committee.

Tuesday, Apr. 22, the committee approved and referred to the full Senate various gubernatorial appointees. They include: David Lilly, Jr., Carol Ann Mackay, Marjorie Hayden and Calvin Zuehlke to the Board of the Arts; Raymond J. Joachim, Robert C. Fragnito, Mary Kay Williams, Ray Potami and Lorraine Berman to the Charitable Gambling Control Board; and Richard Kirkes to the Racing Commission.

## Governmental Operations

### Offices for children, older Minnesotans okayed

Two bills aimed at helping the youngest and the oldest citizens in Minnesota were endorsed at the Tues., Apr. 21, meeting of the Governmental Operations Committee. S.F. 1309, authored by Sen. Donna Peterson (DFL-Mpls.), establishes an Office for Children under the auspices of the State Planning Agency. According to the bill, the office would coordinate the activities relating to children administered by diverse state agencies. In addition, the bill specifies that the office consult with groups outside of state government on specific issues related to children and look for other models for coordination of policies. The measure was approved and re-referred to the Committee on Finance. S.F. 924, authored by Sen. Michael Freeman (DFL-Richfield), establishes the office of Ombudsman for Older Minnesotans within the Board on Aging. Under the bill the duties of the office include the gathering of information and the evaluation of any act, practice, policy, procedure, or administrative action of a long-term care facility, acute care facility, or government agency that may adversely affect the health, safety, welfare, or rights of any client. In addition, the office would mediate or advocate on the behalf of clients, provide public education, and monitor the development and implementation of federal, state, or local laws. S.F. 924 was also re-referred to the Finance Committee.

Committee members, chaired by Sen. Don Moe (DFL-St. Paul), also approved two additional measures. H.F. 354, carried by Sen. Carl Kroening (DFL-Mpls.), provides for establishment of a job classification entitled chiropractor in the state civil service. S.F. 1223, sponsored by Sen. Allan Spear (DFL-Mpls.), creates a commission for the quincentennial of the Hispanic presence in the western hemisphere.

### Pension bills okayed

Panel members devoted the Thurs., Apr. 23, meeting to discussion of pension matters. Two bills were approved and a third was laid over because of time constraints. H.F. 1213, authored by Moe, is a statewide pension system administrative bill. Discussion on the measure centered on a section that, as originally drafted, would have required the legislative auditor to periodically audit funds of the Minneapolis and first class city teachers retirement funds. Currently, independent auditors are contracted to audit the first class city teachers funds and the state auditor audits the MERF. An amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), and adopted by the committee, places the auditing responsibility in both instances with the state auditor.

S.F. 1063, authored by Sen. Darril Wegscheid (DFL-Apple Valley), changes vesting standards from ten years to five years in statewide plans and allows the change of vesting standards from twenty to five years for local police and fire plans.

In addition, in the PERA section, the bill limits the workers' compensation offset from the disability benefit to an amount by

which the greater of actual or current salary is exceeded in the total benefit amount and changes the workers compensation offset applicable to currently payable disability benefits.

Both measure were approved and sent to the full Senate.

A third measure, H.F. 1159, authored by Wegscheid, incorporates a number of bills dealing with specific individuals and specific public pension plans. Action on the measure will take place at the next meeting.

## Health and Human Services

### Cancer surveillance bill gains

A bill providing for a statewide population based cancer surveillance system gained the endorsement of the Health and Human Services Committee at an evening hearing Wed., Apr. 15. S.F. 346, authored by Sen. Steven Novak (DFL-New Brighton), is designed to monitor cancer trends, detect public health problems, provide information to health professionals and promote research. According to Novak, the bill will help provide a research base of adequate quality to further the work being done in cancer prevention and treatment. The bill was re-referred to the Committee on Finance.

Panel members, chaired by Sen. Linda Berglin, acted on a total of eleven other bills during the meeting. Four measures were referred directly to the Senate floor. S.F. 1041, authored by Sen. Don Samuelson (DFL-Brainerd), called the Local Public Health Act, defines the powers and duties of local government boards of health and provides discretionary county ordinance power. H.F. 923, sponsored by Sen. Jim Vickerman (DFL-Tracy), makes changes in the regulation of budgets and procedures of Human Service Boards by allowing the sale of property, biennial rather than annual plans, and providing for continuing education. S.F. 582, authored by Sen. John Brandl (DFL-Mpls.), allows HMOs to share risks with employers by authorizing HMO premium adjustment to be based on utilization. H.F. 557, carried by Sen. Pat Piper (DFL-Austin), renaming the mental retardation division of the Dept. of Human Services the division for persons with developmental disabilities, was referred to the Consent Calendar.

The remaining bills on the committee agenda were referred to the Committee on Finance. S.F. 917, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), requires the Department of Jobs and Training through the division of rehabilitation resources to contract for the development of client advisory committees. S.F. 1396, authored by Berglin, sets forth an appeal procedure for recipients of case management services. S.F. 1368, authored by Sen. Gene Waldorf (DFL-St. Paul), creates a new formula for the distribution of administrative aid to counties. S.F. 998, authored by Berglin, defines directors, officer, and partners as vendors of medical care in order to address the problem of recovery of medical assistance overpayments when a corporation goes out of business. S.F. 789, also sponsored by Berglin, establishes prepaid health plans under medical assistance for AFDC recipients.

S.F. 575, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for a \$10,000 appropriation for each year of the biennium for purposes of distributing information about organ donation along with driver's license renewal notices. S.F. 563, sponsored by Brandl, extends the subsidized adoption program until the adopted person reaches the age of 22.

### Social workers licensure gains

Much of the Wed., Apr. 22, hearing was devoted to reconsideration and discussion of the bill to license social workers, marriage and family counselors and provides for the registration of other mental health care service providers. S.F. 1025, authored by Sen. Donna Peterson (DFL-Mpls.), had failed to gain the committee's endorsement at a prior hearing. However, the motion to reconsider was successful and the bill again came before the

committee. The bill provides for the licensure of social workers, marriage and family counselors; provides for the registration of other mental health care service providers, sets penalties, establishes professional boards and establishes a patients bill of rights. An amendment to the bill removed several exceptions to licensure. The measure was then re-referred to the Governmental Operations Committee.

In other action, the committee, chaired by Sen. Linda Berglin (DFL-Mpls.), approved four additional bills. S.F. 612, authored by Berglin, creates exceptions to the nursing home moratorium, establishes a review process for the approval of additional exceptions to the moratorium, and prohibits the renewal of licenses for nursing home and boarding care home beds with more than four beds in a room. The measure was referred to the Committee on Finance. H.F. 642, sponsored by Sen. Jerome Hughes (DFL-Maplewood), eliminates supportive living residences as residential care facilities for persons with mental illness and provides for the establishment of a third level of care for persons with mental illness. S.F. 786, authored by Berglin, limits reimbursement for certain general assistance medical care providers and medical assistance providers; authorizes publications of a list, and criteria for the list for selecting health services requiring prior authorization; and authorizes second medical opinions for outpatient surgery. Both bills were also re-referred to the Finance Committee.

S.F. 921, authored by Sen. Pat Piper (DFL-Austin), allocates community service block grant discretionary funds and designates Olmsted and Freeborn counties as eligible entities for community action funds. The measure was referred to the full Senate.

## Judiciary

### Omnibus welfare reform bill gains

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), devoted much of the Wed., Apr. 22, hearing to examination of the child support withholding provisions contained in the omnibus welfare reform measure, S.F. 682. As originally drafted, the bill, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), contained provisions mandating the immediate withholding of child support payments. However, a series of amendments adopted by the committee, narrowed the scope of those provisions to a five county demonstration project. In addition, the amendments provide for the statewide application of the immediate child support withholding in 1989 and for providing a financial incentive for counties to collect support payments for persons not on public assistance. The bill was approved and re-referred to the Committee on Finance.

In other action, committee members also continued their discussion of S.F. 412, the bill providing for environmental liens. The measure, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides for the attachment of liens for agency expenses incurred in taking actions to protect public health, safety, or the environment. Under the bill, the term remedial action is defined as action to prevent, control, mitigate, or remedy a release or threatened release of a hazardous substance. The bill was approved and re-referred to the Environment and Natural Resources Committee.

A third bill approved by the committee, S.F. 905, appropriating money from the general fund to the Department of Natural Resources, was re-referred to the Finance Committee. The bill, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), replaces income lost to the school fund created by the state constitution. The income was lost to the fund because of cancellation of timber permits in 1985. Under the bill a total of \$95,000 would be appropriated to make up the lost revenue. An amendment added to the measure provides, though, that if the department is able to sell the timber the money will go to the general fund rather than to the school trust fund.

Finally, committee members discussed a bill that would require current property taxes to be paid before the deed to a property could be registered. The bill, S.F. 953, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was laid over in order to allow time for the drafting of an amendment.

Earlier in the week, both divisions of the full committee, the Criminal Law Division and the Civil Law Division, met during the regularly scheduled committee times to work on bills that have come over from the other body and prepare them for the full committee. The Judiciary Committee has scheduled several hearings for the final days of committee activity in order to clear the agenda prior to the Apr. 28 deadline.

## Local and Urban Government

### Metro Council changes approved

The Local and Urban Government Committee endorsed a bill making changes in the governance of the Metropolitan Council at the Mon., Apr. 20 meeting.

S.F. 1241, authored by Sen. Darril Wegscheid (DFL-Apple Valley), describes the process for the appointment of persons to the metropolitan commissions by the Metropolitan Council and requires that candidates to the council must be endorsed by state legislators representing the district where the council candidate lives. The bill also stipulates that each council and commission member will communicate regularly with other council members, legislators and local government officials. In addition each metropolitan commission and the Metropolitan Council are to prepare a summary budget beginning in 1988. The Metropolitan Council is to report to the Legislature by Jan. 15, 1988 on a process for coordinating the planning of transit development by regional railroad authorities and requires the RTB's implementation plan to describe Metro Mobility service. Finally, the governor is required to consult with legislators when making appointments to the Metropolitan Airports Commission. The measure was re-referred to the Transportation Committee.

The panel, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved and sent to the Senate floor a measure sponsored by Sen. Carl Kroening (DFL-Mpls.) allowing the Minneapolis Park and Recreation Board to establish a personnel system independent of the city's civil service personnel system.

Dave Fisher, superintendent of the park board, said the board recruits and hires 800 to 1,000 part-time park employees each year. The board wants the freedom to hire extended to full-time employees as well, Fisher said.

Minneapolis Mayor Don Fraser spoke in opposition to the bill. Conceding that there were problems to be worked out in the civil service system, Fraser said the city has been working on consolidating the various personnel administration offices by establishing a Human Resources Board which would administer the hiring of city, park board, library board and school system employees.

The committee approved four other measures including: H.F. 1236 (Pogemiller), removing prohibitions on the issuance of general obligation bonds to fund pedestrian skyways; H.F. 1416 (Peterson, D.C.) creating a Minneapolis Office of Emergency Preparedness and providing for the appointment of a director for the office; H.F. 1444 (Lessard) authorizing voters to dissolve and reorganize a town and providing that the county board bear the costs for the referendum; and H.F. 1223 (Samuelson) repealing a 1980 law which excluded Morrison County newspapers from the general law describing legal newspaper status. An amendment to the bill, requested by the Minnesota Newspaper Association, removing the requirement that newspapers be mailed at 2nd Class rates and clarifying newspaper audit requirements, was also approved by the committee.

H.F. 1266 was re-referred to the Taxes and Tax Laws Committee while House Files 1416, 1444 and 1223 were sent to the General Orders calendar.

## Public Utilities and Energy

### Energy loan expansion gains

A bill expanding the eligibility for energy conservation investment loans to local units of government was approved by

# Committee Capsule

members of the Public Utilities and Energy Committee Tues., Apr. 24, and re-referred to the Committee on Taxes and Tax Laws. The bill, S.F. 1267, authored by Sen. John Marty (DFL-Roseville), expands eligibility to cities, towns and counties. Currently, only schools are eligible. Under the bill, municipalities are given the authority to enact special levies within their jurisdictions in order to repay the authorized loans.

Committee members, chaired by Sen. Ron Dicklich (DFL-Hibbing), also approved a bill authorizing the attorney general's utility rate section to represent the interests of small businesses in cases before the Public Utilities Commission. Currently, the attorney general's office represents the interests of residential consumers.

A third bill, S.F. 1191, authored by Marty, failed to gain the committee's approval on 6-7 roll call vote. The measure permits the Public Utilities Commission to order a public utility or a telephone company to adjust its rates to reflect the impact of the federal Tax Reform Act of 1986.

## Telephone deregulation bill heard

The committee met Thurs., Apr. 23, to again take up consideration of bills relating to deregulation of telephone services. Due to a lack of time, panel members were unable to take action during the morning hearing. However, another bill did receive the panel's endorsement. H.F. 1127, sponsored by Sen. Michael Freeman (DFL-Richfield), provides for the establishment of flexible gas utility rates for large customers subject to effective competition and requires a study to be conducted by the Public Utilities Commission.

Attention then focused on the telephone deregulation bills before the committee. S.F. 677, authored by Dicklich, provides for the reduced regulation of certain competitive telephone services. The bill establishes three levels of regulation for telephone companies, provides for determining competitive status, requires a study on the need for an assistance plan to maintain universal telephone service, provides for full disclosure of service choices and options, and prohibits the cross-subsidization of competitive services by noncompetitive services. Action on the bill will take place after the completion of public testimony.

## Taxes and Tax Laws

### Panel moves education aids bill

The Omnibus Education Aids Bill, S.F. 583, a \$2.96 billion allocation for the state's 435 school districts, was approved on a 14-11 roll call vote in the Taxes and Tax Laws Committee Wed., Apr. 22.

Sen. Randolph Peterson (DFL-Wyoming), the bill's sponsor, was asked by committee chair Douglas Johnson (DFL-Cook) to look for budget cuts in the spending measure, specifically within the Dept. of Education, before the measure is up for final approval by the Senate.

An attempt to remove \$1.87 million in funding for the proposed Minneapolis-based Arts School, but retain allocations for the Arts Resource Center, was defeated in a 13-12 roll call vote. Sen. Charles Berg (DFL-Chokio), author of the amendment, said he was opposed to funding the Art School during this session because of financial constraints and because he would like to see art education funds spread among the various school districts. The measure was re-referred to the Finance Committee.

The committee also gave lengthy consideration to a measure modifying pari-mutual horse racing taxes. Sen. Robert Schmitz's (DFL-Jordan) bill, S.F. 724, would have given the Canterbury Downs racetrack \$13.4 million in tax relief by changing the tax rate structure and increasing the amount which could be set aside for purses. An amendment offered by Johnson and approved by the committee lowered the amount of tax relief in the original bill, resulting in a \$5 million tax relief package. The panel expects to take final action on the measure, Thurs., Apr. 23.

In other action, the committee approved a measure revising the tax allocation credits for rental housing units and authorizing the state housing finance agency to participate in low-income housing construction projects. The bill, S.F. 506, authored by Sen. Steven Morse (DFL-Dakota), was sent to the General Orders Calendar.

Also approved and sent to the full Senate was S.F. 1331, authored by Sen. Gregory Dahl (DFL-Coon Rapids). The measure clarifies the amount of state tax to be refunded to a consumer of an automobile when the auto is returned to the manufacturer under the "lemon car" law.

## Transportation

### Homemakers to be issued limited licenses

A bill that would allow the commissioner of public safety to issue limited driver licenses to homemakers was approved by the Transportation Committee Tues., Apr. 21. S.F. 29, sponsored by Sen. William Belanger (IR-Bloomington), allows homemakers without drivers licenses to operate a vehicle for the purpose of satisfying educational, medical, or nutritional needs of the homemaker or his/her family. Under current law, limited licenses are authorized only to those persons whose attendance is required at an educational institution or at a chemical dependency treatment center. S.F. 29 was sent to the Senate floor.

Two other measures were also approved by the committee chaired by Sen. Clarence Purfeerst (DFL-Faribault). S.F. 1188, authored by Sen. Fritz Knaak (IR-White Bear Lake), allows the chief of police or a sheriff of the county to authorize specially marked police or sheriff's vehicles. The measure requires that the operators of the vehicles be dressed in proper uniform and prohibits cities of the first class from having more than 10 percent of their fleet as specially marked cars. A third measure sent to the Senate floor, S.F. 634, authored by Sen. Duane Benson (IR-Lanesboro), provides for allowing up to seven characters on personalized license plates.

Two measures sponsored by Sen. Charles Davis (DFL-Princeton), gained the support of the committee. S.F. 228, sent to the Committee on Finance, restricts the taxation of pick-up trucks older than nine years and registered under 9,000 pounds, to a fixed tax of \$35. H.F. 542 allows town boards to adopt a recorded town road map. The measure, sent to the Local and Urban Government Committee, also requires that town boards hold public hearings to discuss the implementation of the map.

The final proposal presented to the committee, H.F. 813, carried by Sen. James Metzen (DFL-South St. Paul), allows political subdivisions to define bicycle trails, requires that bicyclists use a shoulder of a roadway and ride in the same direction as the traffic, and provides for uniform definitions of bicycle terms. H.F. 813 was laid over for further consideration.

## Floor Action

### Auto repair parts bill passed

A bill requiring automobile repair shops to tell customers whether the repair parts are new, used, rebuilt, reconditioned or replated and whether they are original equipment manufacture parts gained final approval at the Mon., Apr. 20, floor session. The bill, S.F. 341, authored by Sen. Marilyn Lantry (DFL-St. Paul), also prohibits insurance companies from dictating that auto repairs be made with "after market parts" instead of "original equipment manufacture parts."

Senators also granted final passage to two bills on the Consent Calendar. H.F. 567, sponsored by Sen. Steven Novak (DFL-New Brighton), memorializes the President and Congress to give states more authority to regulate interstate pipelines and to improve federal regulation of pipelines. H.F. 505, carried by Sen. Mel

Frederick (IR-Owatonna), authorizes the conveyance of a specific state easement.

Finally, members also approved several bills on the Senate General Orders Calendar. H.F. 1049, carried by Sen. Pat Piper (DFL-Austin), clarifies the statutes regulating the administration of the occupational safety and health act and clarifies employee rights to sue. S.F. 922, authored by Sen. Bob Lessard (DFL-Int'l. Falls), makes several changes to the laws governing horse racing. Under the bill, the maximum fine and suspension that the stewards may impose is raised from \$500 to \$2,000 and 30 days to 120 days. In addition the bill provides that no horse may race if under medication, regardless of when the drug was administered, and removes a sunset provision in the law pertaining to specific drugs. Finally, the bill specifies that the track pay for all drug testing. H.F. 235, sponsored by Sen. Mel Frederick (IR-Owatonna), allows certain school districts to mail summaries of the school board proceedings rather than publish the summaries.

S.F. 235, authored by James Pehler (DFL-St. Cloud), requires schools to develop policies on notifying parents whose children are absent from school and requires that a birth certificate be provided to schools when new students enroll. H.F. 750, carried by Sen. Roger Moe (DFL-Erskine), authorizes the sale of tax-forfeited lands that border public water in East Grand Forks. S.F. 345, authored by Sen. Tad Jude (DFL-Maple Grove), prohibits the use of the pesticide chloradine or its derivatives.

### Metro harness track gains

A bill authorizing a second race track in the seven county metro area gained preliminary approval Thurs., Apr. 23, during the Senate floor session. The bill specifies, though, that the track would be used exclusively for harness racing. S.F. 863, authored by Sen. Darril Wegscheid (DFL-Apple Valley), solves the problems associated with trying to mix the two types of horse racing at the same track.

According to Wegscheid, harness racing typically attracts a smaller crowd, the track surface must be harder for harness racing, and the distance is significantly shorter than the one mile track used in thoroughbred racing. An amendment offered by Sen. James Metzen (DFL-South St. Paul), specifying that the distance from Canterbury Downs be 20 miles, rather than the 25 miles specified in the bill, failed to gain adoption. An amendment offered by Sen. James Pehler (DFL-St. Cloud), clarifying that the second metro track would not in any way impede the plans for a thoroughbred track in Greater Minnesota, was adopted.

In other action, Senators debated at some length over a measure prohibiting pregnancy counseling services stating that the counseling service provides services it does not. S.F. 283, authored by Sen. Allan Spear (DFL-Mpls.), failed to gain preliminary approval on a 31-32 roll call vote.

Earlier, Senators granted final passage to the bills given preliminary passage during the Monday session. In addition, three bills that had been out for comparison with bills from the House were also given final passage. H.F. 499, sponsored by Sen. Steven Novak (DFL-New Brighton), changes the treatment of current value credits and modifies the cost allocation system of the Metropolitan Waste Control Commission. H.F. 200, carried by Sen. Linda Berglin (DFL-Mpls.), provides a standard for the disclosure of a reporter's name under the child abuse and vulnerable adults abuse reporting acts. H.F. 839, sponsored by Sen. Sam Solon (DFL-Duluth), requires automatic location identification for 911 answering points.

Finally, two measures on the Consent Calendar were also granted final passage. H.F. 1042, sponsored by Sen. Gary DeCramer (DFL-Ghent), exempts drivers of intrastate charter carriers from having a medical examiner certificate in their possession if they have a school bus endorsement. H.F. 557, carried by Sen. Pat Piper (DFL-Austin), changes the name of the mental retardation division to the division for persons with developmental disabilities to better reflect the scope of the division's responsibility.

# Preview

## The Minnesota Senate Week at a Glance

Monday, April 27, 1987

**Finance Committee Health and Human Services Division, Chair:**  
Don Samuelson

8:00 AM Room 123 Capitol

**Agenda:** S.F. 226-Chmielewski: Moose Lake State Hospital and other items to be announced.

**Agriculture Committee, Chair:** Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** H.F. 1207-Peterson, R.W.: Real property altering certain redemption periods. S.F. 1203-Luther: Reorganization of Dept. of Ag. and DEED.

**Environment and Natural Resources Subcommittee on Environmental Protection, Chair:** Gregory Dahl

10:00 AM Room 107 Capitol

**Agenda:** S.F. 1497-Dahl: Waste water treatment facilities.

**Judiciary Committee, Chair:** Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** H.F. 141-S.F. 181-Luther: Nonprofit corporation directors tort immunity. S.F. 478-Luther: Omnibus insurance, tort liability bill. S.F. 261-Samuelson: Dram shop, liability for illegal sale of liquor. S.F. 404-Bertram: Tort immunity for volunteer fire chiefs. S.F. 1136-Luther: Asbestos product liability statute of limitation. S.F. 801-Berg: DNR tort immunity for injuries from aeration of lakes. H.F. 1083-S.F.

1247-Peterson, R.W.: Municipal tort procedures. H.F. 18-Chmielewski: County recovery for MA from estate of deceased spouse of deceased recipient. H.F. 19-Chmielewski: County collection for recoverable MA as a successor by affidavit. S.F. 787-Berglin: MA bill sections. H.F. 170-S.F. 47-Belanger: Possession of machine guns, short barreled shot guns. H.F. 286-S.F. 742-Jude: Competency of children under 10 as witnesses. S.F. 1065-Cohen: Juvenile court procedures, victim rights, records, restitution. H.F. 1371-S.F. 1339-Novak: Ramsey County court locations, disposition of fines and fees. S.F. 1472-Spear: DWI chemical dependency assessment system. Meeting will continue at 3:00 PM Room 107 Capitol.

**Economic Development and Housing Committee, Chair:** Don Frank

12:00 Noon Room 15 Capitol

**Agenda:** S.F. 1142-Reichgott: Establishment of municipal special service districts. S.F. 1468-Pogemiller: Establishment of international music and communication arts center task force.

**Local and Urban Government Committee, Chair:** Robert Schmitz

12:00 Noon Room 107 Capitol

**Agenda:** S.F. 542-Davis: An alternative procedure to record town roads. S.F. 1020-Brandl: Met. government; regulating conflicts of interest of the MAC. S.F. 1494-Novak: Met. government adding chair of Transit Commission to

membership on the Met. Financial Reporting and Management Advisory Committee.

**Senate will be in session at 2:00 PM**

**Finance Committee State Departments Division, Chair: Carl Kroening**

3:00 PM Room 123 Capitol

**Agenda:** Allocations.

**Commerce Committee, Chair: Sam Solon**

4:00 PM Room 112 Capitol

**Agenda:** S.F. 734-Metzen: Commission to study government and business competition. S.F. 1302-Wegscheid: Wine in grocery stores. S.F. 187-Peterson, R.W.: Regulating liens on storage facilities. S.F. 662-Dahl: Retail motor fuel purchase from wholesaler other than refiner.

**Agriculture Committee, Chair: Charles Davis**

7:30 PM Room 15 Capitol

**Agenda:** S.F. 1203-Luther: Cont. of morning. S.F. 1294-Renneke: Authorization principal buy-down of certain loans.

## Tuesday, April 28, 1987

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** S.F. 1365-Dicklich: Training seniors for employment. S.F. 384-Dicklich: Dislocated workers. S.F. 1398-Freeman: Truckers/contractors. S.F. 246-H.F. 234-Peterson, D.C.: Parental leave. S.F. 1353-Kroening: Making collective bargaining agreements binding upon transferee employers.

**Governmental Operations Committee, Chair: Donald Moe**

8:00 AM Room 15 Capitol

**Agenda:** H.F. 1159-Wegscheid: Cont. of pension fund protection. H.F. 257-Moe, D.M.: Early retirement health insurance incentive. S.F. 775-Marty: Adult education. S.F. 703-Pogemiller: Private detective licensure. S.F. 1085-Peterson, D.C.: Social worker licensure. S.F. 1437-Brandl: State funded science and technology review. S.F. 1482-Jude: Mechanical lifting devices in public buildings. Continuation at 3:00 PM Room 107 Capitol.

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** H.F. 813-Metzen: Bike trails. H.F. 404-Bertram: Designation of exempt railroad grade crossings. S.F. 1241-Wegscheid: Metro government; providing for qualifications of commission members. S.F. 1503-Purfeerst: Highway funding.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** To be announced.

**Veterans Committee, Chair: Joe Bertram**

10:00 AM Room 107 Capitol

**Agenda:** Resolution of H.F. 462-Rep. Segal: Memorializing U.S. Congress to maintain Veterans Administration system of health care facilities. Discussion involving veterans agency officials.

**Environment and Natural Resources Committee, Chair: Gerald Willet**

12:00 Noon Room 112 Capitol

**Agenda:** To be announced.

**Health and Human Services Committee, Chair: Linda Berglin**

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1274-Brandl: Personal care attendants to hospital ventilator dependent recipients. S.F. 842-Berglin: Indian child welfare, etc. S.F. 210-Berglin: Osteoporosis pilot program. S.F. 555-Brandl: Prohibiting faradic shock, etc. H.F. 602-Stumpf: Red Lake exception to the moratorium on nursing homes.

**Elections and Ethics Committee, Chair: Jerome Hughes**

2:00 PM Room 107 Capitol

**Agenda:** Confirmation of appointments to State Ethical Practices Board. S.F. 1470-Cohen: Changing dates of precinct caucus and state primary.

**Finance Committee Education Division, Chair: Gene Waldorf**

3:00 PM Room 125 Capitol

**Agenda:** S.F. 1-Moe, R.D.: Rural Development - Greater MN Corp. Capital budget overview.

**Finance Committee State Departments Division, Chair: Carl**

Kroening

3:00 PM Room 123 Capitol

**Agenda:** Allocations.

**Taxes and Tax Laws Committee, Chair: Doug Johnson**

3:00 PM Room 15 Capitol

**Agenda:** To be announced. The Tax Committee will also meet Wednesday morning and Friday morning.

**Judiciary Committee, Chair: Allan Spear**

7:30 PM Room 15 Capitol

**Agenda:** H.F. 137-Spear: Criminal trial procedures. S.F. 232-Cohen: Right of victim to written or oral impact statement at sentencing. S.F. 300-H.F. 246-Cohen: Reporting of suspected student chemical abuse by school personnel. S.F. 458-H.F. 391-Jude: Purity measure for drug crimes, tax law. S.F. 463-H.F. 576-Luther: Commerce Dept. real estate, securities bill sections relating to liability, abstracts of title. S.F. 572-H.F. 555-Jude: Making it a crime to give a false name to a peace officer. S.F. 613-H.F. 593-Jude: Major theft, auto theft penalties. S.F. 670-H.F. 569-Freeman: Detention of juveniles certified as adults in adult jails. S.F. 705-H.F. 841-Jude: Unlawful utility meter bypass. S.F. 1028-H.F. 941-Spear: Penalty increase for killing or injuring a police dog. S.F. 1253-H.F. 1289-Piper: Welfare, food stamp fraud. S.F. 1259-H.F. 350-Marty: Murder, manslaughter for felony drug sale resulting in death of user. And any rereferrals from other committees.

## Wednesday, April 29, 1987

**Finance Committee Education Division, Chair: Gene Waldorf**

10:00 AM Room 125 Capitol

**Agenda:** Capital budget hearing.

**Senate will be in session at 12:00 Noon**

## Thursday, April 30, 1987

**Economic Development and Housing Committee, Chair: Don**

Frank

12:00 Noon Room 15 Capitol

**Agenda:** To be announced.

**Senate will be in session at 12:00**

**Finance Committee State Departments Division, Chair: Carl**

Kroening

Room 123 Capitol Immediately following session

**Agenda:** Allocations.

## Friday, May 1, 1987

**Finance Committee Education Division, Chair: Gene Waldorf**

10:00 AM Room 125 Capitol

**Agenda:** Capital budget hearing.

**Senate will be in session at 12:00 Noon**

**Finance Committee State Departments Division, Chair: Carl**

Kroening

Room 123 Capitol Immediately following session

**Agenda:** Allocations.

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE (15)

**CHAIRMAN:** Davis  
**OFFICE NO:** G-24  
**MEETS:** M, W; Room 112, 10-12 noon  
**MEMBERS:**  
 Anderson Brandl Frederickson, D.R. Renneke  
 Beckman Davis Freeman Stumpf  
 Berg DeCramer Larson Vickerman  
 Bertram Frederickson, D.J. Morse

## COMMERCE (18)

**CHAIRMAN:** Solon  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 10-12 noon  
**MEMBERS:**  
 Adkins Frederick Metzzen Spear  
 Anderson Freeman Peterson, D.C. Taylor  
 Belanger Kroening Purfeerst Wegscheid  
 Cohen Luther Samuelson  
 Dahl McQuaid Solon

## ECONOMIC DEVELOPMENT AND HOUSING (12)

**CHAIRMAN:** Frank  
**OFFICE NO:** G-10  
**MEETS:** M, Th; Room 15; 12-2  
**MEMBERS:**  
 Beckman Dahl Gustafson Morse  
 Bernhagen Knaak Reichgott Storm  
 Cohen Frank Kroening

## EDUCATION (21)

**CHAIRMAN:** Pehler  
**OFFICE NO:** G-9  
**MEETS:** M, W, F; Room 15, 8-10 a.m.  
**MEMBERS:**  
 Beckman Knaak Olson Reichgott  
 Dahl Knutson Pehler Stumpf  
 DeCramer Langseth Peterson, D.C. Wegscheid  
 Dicklich Larson Peterson, R.W.  
 Frederickson, D.J. Mehrkens Pogemiller  
 Hughes Morse Ramstad

## EDUCATION AIDS (14)

**CHAIRMAN:** Peterson, R.W.  
**OFFICE NO:** G9  
**MEETS:** T, Th; Room 15; 3-5 p.m.  
**MEMBERS:**  
 DeCramer Knutson Peterson, D.C. Reichgott  
 Dicklich Langseth Peterson, R.W. Stumpf  
 Hughes Mehrkens Pogemiller  
 Knaak Olson Pehler

## ELECTIONS AND ETHICS (11)

**CHAIRMAN:** Hughes  
**OFFICE NO:** 328  
**MEETS:** W; Room 107; 11:30 a.m.-1 p.m.  
**MEMBERS:**  
 Hughes Laidig Moe, R.D. Samuelson  
 Johnson, D.E. Luther Morse Willet  
 Johnson, D.C. McQuaid Peterson, D.C.

## EMPLOYMENT (11)

**CHAIRMAN:** Chmielewski  
**OFFICE NO:** 325  
**MEETS:** T, Th; Room 107, 8-10 a.m.  
**MEMBERS:**  
 Adkins Chmielewski Gustafson Piper  
 Beckman Diessner Kroening Ramstad  
 Brataas Frank Pehler

## ENVIRONMENT AND NATURAL RESOURCES (18)

**CHAIRMAN:** Willet  
**OFFICE NO:** 111  
**MEETS:** T, W, F; Room 112; 1-3 p.m.  
**MEMBERS:**  
 Berg Knaak Merriam Stumpf  
 Bernhagen Laidig Morse Wegscheid  
 Dahl Larson Novak Willet  
 Davis Lessard Olson  
 Frederickson, D.R. Marty Peterson, R.W.

## FINANCE (28)

**CHAIRMAN:** Merriam  
**OFFICE NO:** 122  
**MEETS:** T, W, F; Room 123, 3-5 p.m.  
**MEMBERS:**  
 Brataas Johnson, D.E.  
 Dahl Knutson Mehrkens  
 DeCramer Kroening Merriam Renneke  
 Dicklich Kroening Metzzen Samuelson  
 Frederickson, D.R. Lantry Moe, D.M. Solon  
 Freeman Lessard Piper Spear  
 Hughes Luther Purfeerst Taylor  
 Ramstad Waldorf  
 Willet

## GENERAL LEGISLATION AND PUBLIC GAMING (10)

**CHAIRMAN:** Lessard  
**OFFICE NO:** 328  
**MEETS:** W, F; Room 107; 8-10 a.m.  
**MEMBERS:**  
 Berg Diessner Lantry Samuelson  
 Bertram Frederickson, D.R. Lessard  
 Davis Johnson, D.E. McQuaid

## GOVERNMENTAL OPERATIONS (11)

**CHAIRMAN:** Moe, D.M.  
**OFFICE NO:** 309  
**MEETS:** T, Th; Room 15; 8-10 a.m.  
**MEMBERS:**  
 Frederickson, D.J. Jude Pogemiller Waldorf  
 Frederickson, D.R. Marty Renneke Wegscheid  
 Freeman Moe, D.M. Taylor

## HEALTH AND HUMAN SERVICES (15)

**CHAIRMAN:** Berglin  
**OFFICE NO:** G-29  
**MEETS:** T, W, F; Room 15; 1-3 p.m.  
**MEMBERS:**  
 Adkins Brandl Knutson Storm  
 Anderson Brataas Lantry Vickerman  
 Benson Chmielewski Piper Waldorf  
 Berglin Diessner Solon

## JUDICIARY (17)

**CHAIRMAN:** Spear  
**OFFICE NO:** G-27  
**MEETS:** M, W, F; Room 15; 10-12 noon  
**MEMBERS:**  
 Belanger Laidig Peterson, D.C. Spear  
 Berglin Luther Peterson, R.W. Storm  
 Cohen Marty Pogemiller  
 Jude Merriam Ramstad  
 Knaak Moe, D.M. Reichgott

## LOCAL AND URBAN GOVERNMENT (10)

**CHAIRMAN:** Schmitz  
**OFFICE NO:** 235  
**MEETS:** M, Th; Room 107; 12-2 p.m.  
**MEMBERS:**  
 Adkins McQuaid Renneke Wegscheid  
 Bertram Metzzen Schmitz  
 Frederickson, D.J. Olson Vickerman

## PUBLIC UTILITIES AND ENERGY (13)

**CHAIRMAN:** Dicklich  
**OFFICE NO:** 235  
**MEETS:** T, Th; Room 15; 10-12 noon  
**MEMBERS:**  
 Brandl Johnson, D.E. Novak Waldorf  
 Dicklich Johnson, D.J. Olson  
 Frank Jude Piper  
 Gustafson Marty Storm

## RULES AND ADMINISTRATION (30)

**CHAIRMAN:** Moe, R.D.  
**OFFICE NO:** 208  
**MEETS:** On Call  
**MEMBERS:**  
 Belanger Frank Luther Renneke  
 Benson Frederick Merriam Schmitz  
 Berglin Hughes Moe, D.M. Solon  
 Bernhagen Johnson, D.E. Moe, R.D. Spear  
 Bertram Johnson, D.J. Novak Taylor  
 Chmielewski Knutson Pehler Willet  
 Davis Laidig Peterson, R.W.  
 Dicklich Lessard Purfeerst

## TAXES AND TAX LAWS (26)

**CHAIRMAN:** Johnson, D.J.  
**OFFICE NO:** 205  
**MEETS:** T, W, F; Room 15; 3-5 p.m.  
**MEMBERS:**  
 Anderson Brandl Gustafson Peterson, R.W.  
 Belanger Chmielewski Johnson, D.J. Pogemiller  
 Benson Cohen Jude Reichgott  
 Berg Davis Laidig Schmitz  
 Berglin Diessner Novak Stumpf  
 Bernhagen Frank Pehler  
 Bertram Frederick Peterson, D.C.

## TRANSPORTATION (12)

**CHAIRMAN:** Purfeerst  
**OFFICE NO:** 303  
**MEETS:** T, Th; Room 112; 8-10 a.m.  
**MEMBERS:**  
 Bernhagen Langseth Mehrkens Purfeerst  
 DeCramer Lantry Metzzen Schmitz  
 Frederick McQuaid Novak Vickerman

## VETERANS (9)

**CHAIRMAN:** Bertram  
**OFFICE NO:** 323  
**MEETS:** T, Th; Room 107; 10-12 noon  
**MEMBERS:**  
 Beckman Laidig Lessard  
 Bertram Langseth Mehrkens  
 Diessner Larson Schmitz

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

\*Capitol or State Office Building, St. Paul, MN 55155

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87, May 1

# Briefly

The Minnesota Senate Week in Review **May 1, 1987**

## Panel sets education funding

A \$2.96 billion package funding elementary and secondary education and a \$1.67 billion proposal financing state colleges universities and AVTI's both won the Finance Committee's endorsement Wednesday, April 29, and were sent to the full Senate for consideration.

According to bill sponsor Sen. Randolph Peterson (DFL-Wyoming), the education aids proposal is designed to equalize funding among school districts and to simplify the foundation aid formula. The bill, S.F. 583, sets the foundation aid per pupil unit at \$1,700 for the 1987-88 school year and folds the tier, categorical aids and compensatory education revenue into a new formula in FY 1989. Aid per pupil unit for FY 1989 is set at \$2,724 for all school districts and imposes a mill rate of 34.8 mills.

The proposal, Peterson said, is about \$1.3 million less than the governor recommended and increases kindergarten through 12-grade program funding by eight or nine percent. The measure also allocates about \$5 million for the School and Resource Center for the Arts.

Before adopting the Peterson proposal, committee members rejected an alternative proposal, offered by Sen. Lyle Mehrkens (IR-Redwing), funding elementary and secondary education. Mehrkens said Peterson's proposal would cause drastic increases in property taxes within some school districts without offering additional school aid. Mehrkens proposal offered to increase foundation aid to \$1,710 in FY 1988 and \$1,735 in FY 1989; maintain Teacher Retirement Association/Social Security revenue as a separate state categorical aid program; maintain existing formulas for Secondary Vocational Education, interdistrict cooperation and other categorical programs; and implement another formula to assure that all districts receive the statewide average amount in foundation aid revenue.

The higher education funding bill, carried by Sen. Gene Waldorf (DFL-St. Paul), provides \$153 million in funds for the Higher Education Coordinating Board; \$309 million to the AVTI's; \$136 million for state community colleges; \$272 million for state universities; \$796 million for the University of Minnesota; \$1.8 million for the Mayo Medical Foundation; and \$2 million for the Minnesota Job Skills Partnership.

The bill, which was developed by the Finance Division on Education, includes \$32 million for the University of Minnesota's commitment to focus plan. Under the plan, the University would use the additional money to increase instructional spending per student.

## Finance okays rural, urban aid

A bill proposing rural and urban economic development initiatives, including relief to the Iron Range area of the state, won the Finance Committee's approval Wednesday, April 29, and was sent to the Senate floor. The measure, S.F. 1, authored by Majority Leader Roger Moe (DFL-Erskine), includes \$6 million in funding for the creation of the Greater Minnesota Corporation; \$11 million for neighborhood revitalization in Minneapolis and St. Paul, and \$5 million for the Iron Range Resource Rehabilitation Board (IRRRB).

According to the bill, the Greater Minnesota Corporation could acquire equity investments in a product or private business, enter joint venture agreements with private corporations to promote economic development, and make matching grants for applied research and development to any state college, university or AVTI.

Another \$6 million from the Rural Rehabilitation Fund would help establish a challenge grant program, which would provide

loans to new and expanding state businesses in rural areas of the state.

The bill also provides a \$5 million state appropriation to the IRRRB. The money would be used for loans to businesses located in the Iron Range area. The bill also allows money in the 2002 fund to be used for investment in venture capital funds or enterprises.

To further help economic development efforts, the measure appropriates about \$3 million to the Dept. of Natural Resources. About \$1.75 million of the money is designated for Forestry grants; \$1 million for mineral diversification efforts and \$250,000 for forestry management.

St. Paul and Minneapolis would receive about \$11 million to help revitalize city neighborhoods. The cities are required to target the state financial assistance to designated areas. The cities also are required to develop a neighborhood participation process in order for the residents to participate in the development plan and implementation of the program. The legislation further requires the cities to match the state funds.

## Committee approves parental leave bill

The Employment Committee, Tuesday, April 28, approved a measure mandating parental leaves for employees but substantially amended the time frame from one year to six weeks before the bill left the committee for the Senate floor.

Sen. Donna Peterson (DFL-Mpls.), sponsor of H.F. 234, said the proposal "reflects modern reality." With 54 percent of all Minnesota women in the workforce, assurance that women may return to work after giving birth is essential, Peterson said. The unpaid leave of absence applies to both natural mothers and fathers and adoptive parents.

Calling the measure "a license to discriminate" against women of child-bearing age, Sen. Nancy Brataas (IR-Rochester) opposed the measure. Brataas said the bill will affect women's hirings and promotions. Most employers are already sensitive to maternity leave requests of valued employees, Brataas said.

The committee further amended the bill by requiring that only employers with over 21 employees be bound by the provisions. The bill originally cited employers with 10 or more employees.

## Semi-state funding bill advances

The bill funding the Departments of Agriculture, Transportation and various semi-state agencies was advanced to the Senate floor by the Finance Committee Wednesday, April 29. The measure, carried by division chair Sen. Keith Langseth (DFL-Glyndon), totals about \$1.9 billion dollars for the biennium; however, it excludes funds for highway improvements or mass transit.

According to Langseth, money stemming from the motor vehicle excise tax, which was originally earmarked for transit and highway improvements, will remain in the state's general fund to help balance the budget. Money for highways and transit are proposed in another measure, which won the Transportation Committee's approval this week, Langseth explained.

The bill is about \$39 million dollars below the governor's recommendation, Langseth said. Agencies receiving less funding than recommended by the governor include the Dept. of Transportation, the State Arts Board, and the Public Utilities Commission. The Senate plan exceeds the governor's recommendations for the humanities board and the Historical Society.

# Committee Capsule

## Agriculture

### Ag promotion plan supported

A bill restructuring the promotion and trade efforts of the Dept. of Agriculture and the Dept. of Energy and Economic Development gained approval from the Agriculture Committee, Mon., Apr. 27.

S.F. 1203, authored by Sen. William Luther (DFL-Brooklyn Park), restructures the duties of DEED and the Dept. of Agriculture to comply with Gov. Rudy Perpich's executive order of November, 1986, which made organizational changes among several state agencies.

Among the bill's provisions are combining some trade responsibilities with DEED and re-naming the agency the Dept. of Trade and Economic Development. The bill also originally gave the department authority over all national and international business promotion and marketing but was amended by the committee to retain national agriculture promotion and trade development within the Dept. of Agriculture. International agriculture trade will be under the authority of the Dept. of Trade and Economic Development working in conjunction with the Dept. of Agriculture.

The amendment, offered by Sen. Steven Morse (DFL-Dakota), also provides for cooperation among the agencies and requires non-duplication of promotion programs.

The committee's action was influenced by agricultural product producers who pointed out that 40 percent of all Minnesota exports are agriculture products and that they have had a successful relationship with the Dept. of Agriculture for over three decades. Committee members felt that agriculture policy and marketing strategies should remain the jurisdiction of the Agriculture Department. The measure was re-referred to the Finance Committee.

Also approved and re-referred to the Finance Committee was S.F. 1294, authored by Sen. Earl Renneke (R-Le Sueur). The bill allows participants in the Family Farm Security Program to apply for buy-downs of the principal balance owed on property and for a reduction of payment adjustment obligations. A special fund for principal buy-downs is established under the bill.

H.F. 1207, sponsored by Sen. Randolph Peterson (DFL-Wyoming), altering the redemption period for certain parcels of farm land, was approved and re-referred to the Judiciary Committee. Under the bill, parcels of 10 to 40 acres not in agricultural production receive only a six month redemption period instead of the 12 month redemption period under current law. Parcels of 40 acres or more used for any purpose will retain the 12 month redemption period.

## Commerce

### Grocery store wine sale bill laid over

Members of the Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), laid over the controversial bill Mon., Apr. 27, which would allow off-sale wine to be sold in metropolitan grocery stores. S.F. 1302, authored by Sen. Darril Wegscheid (DFL-Apple Valley), told committee members that he wants to hold the bill over until a study is conducted on how the retail liquor industry would be affected if wine were sold in grocery stores.

In other action, the panel endorsed S.F. 187 after much debate. The measure, authored by Sen. Randolph Peterson (DFL-Wyoming), allows self-service storage facility owners to obtain a lien against property in self-service storage facilities when renters fail to make monthly payments. Currently, if storage owners have a payment problem with a renter, the owner may go to court and get an unlawful detainer. "What typically happens," Peterson said, "is that after the court case, renters usually leave their property in the storage area and owners have to go through a drawn out sale procedure." Peterson's proposal would change current law by allowing owners to obtain a lien against the renter's personal

property stored in the space and keep the proceeds of the personal property, if the renter is subjected to default on grounds of failing to make rental payments.

The measure requires that the self-service storage owner mail a notice of default to the renter at his/her last known address and include in the notice a disclaimer that the renter is prohibited from obtaining the property in the storage area until the occupant has satisfied the owner's claim. However, as Peterson noted, the occupant may remove from the storage area any personal property that has a market value of less than \$50.

The panel also approved S.F. 734, establishing a legislative study commission on government and business competition. The bill, authored by Sen. James Metzger (DFL-South St. Paul), sets up an 11-member board to analyze the effects of state and local laws and regulation on small businesses in the state. Requiring an appropriation of \$7,500, the bill was sent to the Committee on Finance.

A bill allowing gasoline retailers the option to purchase motor fuel from wholesalers other than refiners was presented to the committee but laid over. H.F. 661, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), also prohibits a refiner who has a franchise agreement with a retailer to charge the retailer in excess of the refiner's charge to the wholesaler.

### Bill restricting maximum finance charges fails

A measure restricting maximum finance charges on credit card sales was presented to the Commerce Committee Tues., Apr. 28. However, after two hours of debate, the bill was laid over. According to H.F. 242 sponsor Sen. Carl Kroening (DFL-Mpls.), credit card interest rates are currently around 18 percent in Minnesota.

Under Kroening's plan, finance charges would not exceed eight percentage points above the Federal Reserve discount rate, or, 16.5 percent. And for retailers whose annual gross sales exceed \$25 million, Kroening said, the finance charge would not exceed six percentage points over the Federal Reserve discount rate, or, 12.5 percent. "When credit card holders get no benefits, there is no reason for an 18 percent interest rate on consumer credit cards when 'money' is so low," Kroening said.

Opposition to the proposal was heard from representatives of the Dayton-Hudson Corporation and the Minnesota Retailers Association. Steve Watson, Chairman and Chief Executive Officer of Dayton's told the committee that if the proposal were enacted, Dayton's would be forced to move their credit operations out of the state, raise prices, or accept a smaller profit on investment. "It's extremely difficult to break even at 18 percent," he said.

Bernard Braemer, a representative from the AFLCIO testified before the committee in favor of the measure and said that "any retailer who cannot make a profit with a finance rate of 18 percent should find another line of business."

## Economic Development and Housing

### Panel approves MHFA grant plan

A bill authorizing the Minnesota Housing Finance Agency to make residential housing grants to low-income persons living alone and whose gross income is no more than 150 percent of the United States poverty line was approved by the Economic Development and Housing Committee Thurs., Apr. 23. The measure, S.F. 993, authored by Sen. Donna Peterson (DFL-Mpls.), allows the grants to be issued to cities, city joint power boards, H.R.A.'s and non-profit organizations. S.F. 993, requiring an allocation, was sent to the Committee on Finance.

The committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), approved four other bills. S.F. 1437, authored by Sen. John Brandl (DFL-Mpls.), establishes a division of science and technology within the Department of Energy and Economic Development (DEED). According to Brandl, the assistant

commissioner of the division will appoint staff to help establish three science and technology review committees that will prepare guidelines for science and technology research and development projects. Braffell noted that the advisory committees would be funded by state grants and loans. S.F. 1437 was re-referred to the Committee on Governmental Operations.

S.F. 1479, sponsored by Sen. William Luther (DFL-Brooklyn Park), provides for establishing the Minnesota Council on Quality and Productivity as a public corporation with nine board members to consist of the commissioner of DEED, four members of the Legislature, and four members appointed by the governor.

According to Luther, the Council on Quality and Productivity would be responsible for educating the labor and business community on the importance of quality and productivity in the workplace. The measure requires that the council establish a system for information requests, hire an executive director, and research new techniques on quality and productivity. The proposal also authorizes the council to establish a grant program to pay consultant fees for services rendered relating to quality and productivity education. S.F. 1479 was re-referred to the Committee on Governmental Operations.

S.F. 1417 allows community development corporations, DEED, the Minnesota Rural Development Authority, port authorities, HRAs, and economic development authorities to sell notes, mortgages, leases, subleases, or lease purchases to secondary markets. The bill, authored by Sen. Gregory Dahl (DFL-Coon Rapids), was re-referred to the Committee on Finance.

The final measure endorsed by the committee, S.F. 1249, modifies the definition of "small business" by including technical or professional services that have annual gross revenues of no more than \$2.5 million. The measure, authored by Sen. Donna Peterson, was sent to the Senate floor.

## International music center plan okayed

Members of the Economic Development and Housing Committee Mon., Apr. 27, sent to the Committee on Finance a bill requiring that a task force be created to study the feasibility of establishing an international music and communication arts center. S.F. 1468, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), requires that the task force study the economic impact of the recording industry in Minnesota, the feasibility of developing vocational training in recording industry skills, and that the Department of Energy and Economic Development provide administrative support to the task force. Pogemiller noted that the governor supports the legislation and that the measure "would leverage economic development in the state."

Another measure gaining the support of the committee, S.F. 1142, allows all cities except cities of the first class to adopt an ordinance for special service districts. The bill, sponsored by Sen. Ember Reichgott (DFL-New Hope), allows only that property which is classified as commercial, public utility, industrial, or vacant land to be subject to levies and tax charges imposed by the city. Reichgott noted that the city may not adopt an ordinance until the city holds a public hearing and that the notice of the hearing is mailed to all residents in the special service district and published in at least two issues of the official newspaper of the city.

Reichgott also said that the city may not petition for a special service district ordinance unless at least 25 percent of the land owners and 25 percent of the property owners file a request for a public hearing. She added that if 50 percent of the land and property owners are opposed to the ordinance adopted by the city, the resolution could not become effective.

S.F. 1142 was re-referred to the Committee on Taxes.

## Elections and Ethics

### Plan to change party caucus time approved

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), sent to the Senate floor Tues. Apr. 28, a proposal that would change the time of precinct party caucus from

the third Tuesday in March to the fourth Tuesday in February. S.F. 1470, authored by Sen. Richard Cohen (DFL-St. Paul), also modifies the time when the caucus can nominate candidates for permanent officers and delegates. As amended, nominations will remain open for at least the first quarter hour of the caucus and elections may begin one-half hour after the convening of the caucus. Cohen also said that the measure requires that elections of the delegates begin within one hour of the convening time.

A section of the bill changing the time of the state primary from the first Tuesday after the second Monday in September to the second Tuesday in August, was deleted.

In other action, panel members confirmed three appointments made by the governor to the State Ethical Practices Board. The three confirmed at the hearing were: Douglas R. Ewald; Martin J. McGowan; and Judith Gilbert Schotzko.

## Employment

### Senior citizen employment program wins

Chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), the panel approved a measure Tues. Apr. 28, appropriating \$1 million for a training and employment program for senior citizens. Under the proposed "Hospitality Host Older Worker Tourism Program," low income seniors would be trained for tourism related jobs in the Arrowhead Region of the state.

Under the bill, S.F. 1365, carried by Sen. Ronald Dicklich (DFL-Hibbing), the Dept. of Jobs and Training will coordinate the program. S.F. 384, providing for re-training and education of dislocated workers who lost their jobs due to plant closings, is also to be coordinated by the Dept. of Jobs and Training. The bill was sent to the Finance Committee without a designated appropriation.

The committee, chaired by Senator Florian Chmielewski (DFL-Sturgeon Lake), laid over for interim study a bill which would have required construction contractors to enter into lease agreements with independent truckers. The lease would make the contractor responsible for the driver's wages, unemployment compensation, social security tax and other responsibilities held in an employer-employee relationship.

Senator Michael Freeman (DFL-Richfield), author of S.F. 1398, said since the deregulation of the trucking industry, few truck drivers are hired employees but are independent truck drivers responsible for their own equipment payments. Consequently, they are tied to the contractor for sources of income but many of them work without workers' compensation and health and safety benefits, Freeman said.

## Environment and Natural Resources

### Recreation bonding bill gets panel okay

The Environment and Natural Resources Committee Fri., Apr. 24, approved a measure authorizing \$194.8 million in bond sales to fund construction of Olympic training facilities and various park and recreational improvements. The bill, S.F. 1105, carried by Sen. Steven Novak (DFL-New Brighton), was set to the Tax Committee, where members will review a provision extending the sales tax to private health club memberships.

Under the bill, bonds issued for the development of the Olympic training facility would be retired by proceeds from the tax on the health club memberships. Expenditures for the Olympic training facilities includes about \$14.7 million for the construction of a training center and a soccer, track and field stadium in Blaine. The city also would receive \$3 million to build an ice hockey training center. Another \$2.2 million would help expand the Giants Ridge Ski Center in Biwabik, Minnesota, and \$3.4 million would be used to construct a fieldhouse and multi-sport complex. In addition, \$100,000 would fund a canoe and kayak center.

The University of Minnesota would get \$3 million dollars for a swimming center, and the school would be able to build a fencing

# Committee Capsule

center with a \$250,000 appropriation. Also within the metro area, the city of Roseville would receive \$3 million for a speedskating center.

Also, the Dept. of Natural Resources would receive about \$38 million from the bond proceeds. From that amount, \$7 million would be used for dam safety projects; \$6 million for state park rehabilitation and improvements; \$6 million for the acquisition and enhancement of state and park trails; \$5 million for the purchase of wildlife management areas, including wetlands; and about \$4 million for improvement and expansion of state forests.

The bonding proceeds also would help the Pollution Control Agency improve the state's water quality. About \$52 million is provided for independent state construction grants and another \$26.5 million for separation of combined sanitary and storm sewers. The Waste Management Board would receive \$6 million for state capital assistance grants for the development of "feasible and prudent alternatives" to solid waste disposal.

The bill also includes money for parks within the metropolitan area. The Metropolitan Council would receive \$31 million, of which \$6 million is designated for the development of a regional park on Lake Minnetonka.

In other action, the committee okayed a measure, S.F. 808 (Stumpf), changing the boundaries of Lost River State Park.

## Bill enhances recycling efforts

A bill making changes to the state's waste management laws in order to encourage more recycling and better handling of hazardous waste won committee endorsement Tues., Apr. 28.

In addressing the hazardous waste problem, the bill, S.F. 708, sponsored by Sen. Gene Merriam, permits the Pollution Control Agency to establish a program to manage household hazardous waste. The program would have to include the establishment and operation of collection sites and informational efforts to educate persons in proper management of hazardous wastes. The bill also prohibits disposal of lead acid batteries and requires battery retailers to accept lead acid batteries from customers. Used oil would also be prohibited from disposal, and motor oil retailers would have to inform customers where oil is collected.

To encourage recycling of waste, the bill authorizes counties to approve local recycling implementation strategies. The county would be required to identify material they are planning to recycle, and the materials must at least include yard waste along with three additional materials. Also, the Waste Management Board is required to encourage and market development of facilities and services for recyclable materials.

The bill, which was sent to the Finance Committee, also makes the Waste Management Board a permanent agency and establishes a system for weighing garbage trucks to assure that the loads being carried do not exceed allowable weights.

The Dept. of Natural Resources will not be able to award persons up to \$1,000 for information that would lead to conviction of someone who caused a forest fire. Committee members defeated the proposal, which was contained in S.F. 777, because of budget considerations. As approved, the bill, carried by Sen. Gregory Dahl (DFL-Coon Rapids), requires money recovered by the state for forest fire fighting expenses to be deposited in the fund of origination.

The committee laid over a bill allowing a lien to be placed against property for expenses incurred by the Pollution Control Agency for cleaning up illegally disposed hazardous waste sites. The bill, S.F. 412, carried by Assistant Majority Leader William Luther (DFL-Brooklyn Center), will be studied during the interim.

Two other bills gained the committee's support Tuesday: H.F. 1376 (Frederick) conveying state land to the city of Owatonna for use as a park; and S.F. 1496 (Dahl) making administrative changes regarding waste water treatment grants.

## Governmental Operations

### Pension, licensure bills approved

The Governmental Operations Committee, chaired by Sen. Don Moe (DFL-St. Paul), met twice Tues., Apr. 28, and finished work on bills assigned to the committee for this session. The panel laid over two measures for interim study and advanced seven bills.

Much of the morning hearing was devoted to discussion of H.F. 1159, a bill that combined numerous bills dealing with local pension matters into one large measure. Most of the discussion on the bill, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), centered on provisions relating to volunteer firefighters. After considerable debate, committee members approved an amendment, offered by Sen. Earl Renneke (R-LeSueur), deleting those sections of the bill. In addition to the local pension matters, the bill also limits the uses of public pension plan assets and modifies various statewide public safety pension plan provisions. Two additional amendments were approved. The first, offered by Gene Waldorf (DFL-St. Paul), authorized the salaries of the president, secretary and treasurer and any other official of relief associations. The second, offered by Wegscheid, clarifies the exclusion of private ambulance services.

The second measure generating extensive discussion was a bill to license social workers and marriage and family therapists. S.F. 1085, authored by Sen. Donna Peterson (DFL-Mpls.), as originally drafted provided for the licensing of social workers, marriage and family therapists and for the regulation of unlicensed mental health service providers. However, after lengthy discussion, the bill was amended to establish a board to regulate social workers and provide for the licensure of social workers and to establish a board to regulate mental health services. Further, the amendment specifies that the board to regulate mental health services would establish a system of licensure, by 1991, that would license several areas of mental health service providers including marriage and family therapists. Much of the discussion had centered on whether to exempt social workers and mental health service providers working for public entities. As originally drafted, the bill had exempted those persons from the regulatory provisions. An amendment, placed on the bill in the Health and Human Services Committee, had brought public employees under the regulation and licensing provisions. The amendment placed on the measure by members of the Governmental Operations Committee retained the inclusion of public employee regulation. The measure was re-referred to the Committee on Finance.

In other action, the panel approved a bill providing for the licensing of private detectives and protective agents. S.F. 703, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), sets forth the application and administrative procedure for licensing, requires the posting of a surety bond and provides for penalties. The bill was advanced to the full Senate. S.F. 1437, authored by John Brandl (DFL-Mpls.), providing for review of state-funded scientific and technologically related research and creating a committee on science and technology research and development was also approved. The measure, which places the Office of Science and Technology within the Dept. of Energy and Economic Development, was re-referred to the Committee on Finance so that it could be merged with measures providing for the department's reorganization. S.F. 1479, authored by Sen. William Luther (DFL-Brooklyn Park), establishes the Minnesota Council on Productivity and Quality and provides for the council's powers and duties. The measure was approved and re-referred to the Committee on Finance. S.F. 775, authored by Sen. John Marty (DFL-Roseville), establishes a 15 site pilot program to merge vocational technical programs with literacy programs. The bill was also re-referred to the Finance Committee. H.F. 257, sponsored by Moe, providing that certain state employees who are eligible to retire are also eligible for state-paid insurance benefits, was also approved and sent to the Senate floor.

The panel laid over two measures for interim study. S.F. 835, authored by Sen. Carl Kroening (DFL-Mpls.), provides for a state-wide public employees insurance plan and S.F. 1482, authored by Sen. Tad Jude (DFL-Maple Grove), authorizes the use of mechanical lifting devices in public buildings.

## Health and Human Services

### Mental health bill gains

The Minnesota Comprehensive Mental Health Act, S.F. 790, gained endorsement from the Health and Human Services Committee, Fri., Apr. 27.

The bill, authored by committee chair Linda Berglin (DFL-Mpls.), mandates a comprehensive system of community health services for people with severe mental illness. Under the bill, a wide variety of programs are to be developed and coordinated by counties within the state. Programs include community support services, day treatment services, diagnostic assessment, education and prevention services, emergency and outpatient services and residential treatment facilities.

The measure, originally consolidating all funding for mental health programs into one central fund, was amended by the author to merge two of the funding sources into a block grant. The bill was re-referred to the Committee on Finance.

The committee also approved and re-referred to the Judiciary Committee, S.F. 1253, authored by Sen. Pat Piper (DFL-Austin), providing for training for welfare fraud investigators and prosecutors. The measure clarifies language regarding joint trials in welfare fraud cases and wrongfully obtaining assistance. The measure includes a penalty designating a period of ineligibility for a assistance. In addition, the bill appropriates funds for one new staff person for fraud training and control.

In other action, the committee approved the following bills: S.F. 1389 (Berglin), appropriating money for a residential facility for Native American juveniles, was re-referred to the Finance Committee. H.F. 1054 (Piper), providing for changes in the administration of vocational rehabilitation programs, sheltered workshops and community-based employment programs, was re-referred to the Committee on Finance because of changes in fund distribution. S.F. 473 (Brandl), directing the commissioner of health to translate and transfer to the Legislature a summary of studies on low-level ionizing radiation, was sent to the Consent Calendar. H.F. 56 (Novak), providing mosquito control regulations, was re-referred to Finance. H.F. 904 (Piper), requiring nursing homes to disclose limitations of benefits during pre-admission screenings, was sent to the Senate floor.

### Indian child welfare bill gains

A bill altering the distribution of grants for the Indian Community was endorsed by members of the Health and Human Services Committee, Tues., Apr. 28. The bill, S.F. 842, authored by committee chair Linda Berglin (DFL-Mpls.), establishes direct grants to tribal governments and Indian organizations for Indian child welfare programs. In addition, the measure establishes an advisory committee to oversee the distribution of the grants. According to Berglin, the grant programs include primary support grants as well as special grants designed to decrease the foster placements of Indian children. The measure does not require the expenditure of any new state funds but does alter the way existing allocations are distributed. The measure was approved and re-referred to the Committee on Finance.

A bill authored by Sen. LeRoy Stumpf (DFL-Plummer), authorizing an exception to the nursing home moratorium in order to operate a facility on the Red Lake Indian Reservation, was also approved. The bill, H.F. 602, specifies that the facility be used only for persons whose care will be paid for entirely by the federal government under the Indian Health Care Improvement Act.

S.F. 210, authored by Berglin, was also approved and re-referred to the Finance Committee. The bill provides for special grants to

conduct community-wide pilot programs to reduce the prevalence of risk conditions or behaviors related to osteoporosis. The last bill endorsed by the committee, S.F. 555, authored by Sen. John Brandl (DFL-Mpls.), prohibits the use of faradic shock to alter the self-abusive behavior of severely mentally retarded persons without a court order. In addition, the bill specifies that for any persons receiving faradic shock as of April 1, 1987, the prohibition against the use of faradic shock does not apply, except that for each person a plan to reduce and eliminate the use of faradic shock must be in effect by July 1, 1987, unless a court order is obtained. The bill was also re-referred to the Finance Committee.

## Judiciary

### DWI bills approved

Members of the Judiciary Committee met until the early morning hours Thurs., Apr. 23, and took action on a total of nineteen bills. Several of the measures make changes to the statutes relating to DWI and implied consent. In addition, panel members approved a bill prohibiting the exposure of minors to harmful sexually explicit material and a bill providing a mechanism to rid a neighborhood of public nuisances such as houses of prostitution, gambling or disorderly houses. Except where indicated all bills were sent to the General Orders Calendar.

S.F. 992, authored by Sen. Donna Peterson (DFL-Mpls.), clarifies that the implied consent laws apply to boating while intoxicated laws and that if a person refuses to take a test a civil penalty may be imposed. Under the bill, refusal to take the test would result in a fine of \$700 and a 12 month prohibition against operating a watercraft. The measure also provides for a judicial appeal. H.F. 690, sponsored by Sen. Ember Reichgott (DFL-New Hope), requires a blood or urine test when there is probable cause to believe a driver is impaired because of a controlled substance. The measure also requires that the driver be offered both alternatives in certain circumstances and provides that action may be taken against a person who refuses to take a required test. H.F. 427, carried by Allan Spear (DFL-Mpls.), provides that violation of a local DWI ordinance is counted for purposes of driver's license revocation and provides that when a judge of a juvenile court, or an authorized agent of the court, determines that a child has violated a state law or local ordinance pertaining to the operation of a motor vehicle, the judge or agent must report the violation to the commissioner of public safety. H.F. 590, also sponsored by Spear, allows for an extension of a stay of execution in misdemeanor cases involving driving under the influence and fifth degree assault. Further, the bill provides that the court may provide for unsupervised probation for the second year of the stay unless the court finds after the first year that the defendant needs supervised probation for all or part of the second year. H.F. 816, authored by Sen. Tad Jude (DFL-Maple Grove), provides for a penalty for violation of the conditions of a limited license and requires the court to furnish information relating to previous DWI convictions without cost to an attorney requesting the information.

S.F. 1156, authored by Sen. Donna Peterson, provides a mechanism for the enjoinder of nuisances and sets forth the definition of public nuisance based on convictions for prostitution, gambling and operating a disorderly house. The bill provides for a permanent injunction against the conduct described and an order of abatement directing the closing of the building or portion of the building where the conduct takes place.

H.F. 308, sponsored by Sen. John Marty (DFL-Roseville), includes live performances in the statute prohibiting exposure of minors to sexually provocative material and prohibits the admission of a minor to an obscene exhibition even if the minor does not pay for admission.

In other action, the committee also approved a measure providing for 20 additional judgeships. As originally drafted the bill, S.F. 1205, contained fee increases to cover the costs of the new judges added over the biennium. However, the bill, authored by Sen. William Luther (DFL-Brooklyn Park), was amended because of committee members concern about limiting access to the judicial

# Committee Capsule

system and the sections containing the fee increases were deleted. The bill was re-referred to the Committee on Finance.

Two other bills authored by Luther also gained approval. S.F. 1321 provides that persons convicted of a crime of violence may not ship, transport, possess, or receive a firearm for ten years following the restoration of their civil rights. S.F. 1351 permits the Hennepin County Board to hold closed meetings to discuss and take action on specific marketing efforts of the Hennepin County Medical Center and provides that data concerning marketing efforts of the medical center's products and services which are in direct competition with other providers are trade secret information.

Committee members also approved the following measures. S.F. 421, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for the attachment of the financial assets of persons charged with a felony. The measure also updates the wiretap law and prohibits persons from defrauding insurers by concealing or removing property for the purpose of making a fraudulent insurance claim. S.F. 1250, authored by Sen. Donna Peterson, conforms the fees for the filing of unlawful detainer actions in Hennepin county with other civil fees and unlawful detainer fees collected in other counties. S.F. 882, authored by Sen. Linda Berglin (DFL-Mpls.), authorizes the court having jurisdiction over an eminent domain proceeding to compel the occupants of condemned real estate to deliver possession. H.F. 375, carried by Marty, a Dept. of Corrections bill, provides for the restitution by inmates for the destruction of state property, provides a penalty for assaults on correctional employees and authorizes the forfeiture of contraband money or property. S.F. 868, authored by Spear, modifies the standards and procedures for the appointment of public guardians for mentally retarded persons and generally parallels the statutes relating to general guardianship. S.F. 818, authored by Sen. Gregory Dahl (DFL-Coon Rapids), provides stronger criminal penalties for violation of laws and rules relating to hazardous waste by creating three new felonies and a gross misdemeanor for specific violations. S.F. 1280, authored by Sen. Jim Vickerman (DFL-Tracy), is the omnibus Dept. of Public Safety bill, and provides increases in the fines for unlawful use of registration plates or certificates, allows police to give the age of the parties involved in traffic accidents and prescribes the contents of the petition for judicial review of driver's license revocations. S.F. 1280 was re-referred to the Committee on Taxes and Tax Laws.

## Committee advances numerous bills

Judiciary Committee members, chaired by Sen. Allan Spear (DFL-Mpls.), began the countdown to the final committee deadline by taking action on 22 bills at the Fri., Apr. 24 meeting. The first bill on the agenda, H.F. 1024, includes the physically handicapped among those having the right to be accompanied by a guide dog in places of public accommodation. The measure was sponsored by Sen. Sam Solon (DFL-Duluth). H.F. 147, sponsored by Sen. Donna Peterson (DFL-Mpls.), expands the crime of witness tampering to include the act of intimidating a witness to make false statements. H.F. 151, also carried by Peterson, permits the Crime Victims Reparations Board to file a claim for reparations on its own and on the victim's behalf, clarifies that reparations are not to be awarded if the claimant was in the act of committing a crime at the time the injury occurred and provides for reconsideration of the board's decision granting or denying a claim.

S.F. 1199, authored by Spear, requires licensure as a prerequisite to exercising the authority of a peace officer and specifies the conditions for operation of marked police vehicles. In addition, the bill details the powers of law enforcement officers and prescribes a penalty for violations of the law. S.F. 439, authored by Sen. Pat Piper (DFL-Austin), provides for notice of an adopted child or genetic parent's death. Amendments to the bill required that adoptive parents and adopted children over the age of 19 be informed that they can be placed on a list to be notified of the death of the genetic parent and provides for notification in the event of a terminal illness.

H.F. 470, sponsored by Spear, eliminates the requirement that a husband's consent to donor insemination be filed with the commissioner of health.

S.F. 392, authored by Spear, provides for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders and provides for administrative and judicial review. The measure also provides for the issuance of special plates, with the approval of the court, in order for other household members, or the driver if a limited license has been issued, to operate the vehicle. S.F. 953, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was amended by Sen. William Luther (DFL-Brooklyn Park), to specify that agreements for the purchase of real property must provide for the payment of real estate taxes and installments of special assessments payable for the year in which the real property is conveyed. H.F. 1145, carried by Sen. Tad Jude (DFL-Maple Grove), memorializes the President and Congress of the United States to award posthumous Medals of Freedom to Andrew Goodman, Michael Schwerner and James Chaney, three civil rights workers killed in Mississippi in 1964.

H.F. 561, sponsored by Sen. Randolph Peterson (DFL-Wyoming), provides for access to data on an individual who has significant mental illness or emotional impairment and who is an inpatient or resident of a facility rendering care and treatment by protection and advocacy systems. H.F. 534, also sponsored by Peterson, is the omnibus data practices bill and clarifies issues relating to the administration of data, classifies data and proposes classifications of data as private, nonpublic and protected nonpublic. S.F. 854, authored by Sen. Richard Cohen (DFL-St. Paul), gives the Dept. of Energy and Economic Development access to certain employment data and specifies that the data is nonpublic data. H.F. 692, also carried by Cohen, provides for access to the criminal justice datacommunications network and defines purposes for its use. H.F. 687, sponsored by Sen. Dennis Frederickson (R-Morgan), allows law enforcement agencies to release the date of birth of persons involved in traffic accidents.

H.F. 806, sponsored by Sen. Ember Reichgott (DFL-New Hope), clarifies provisions of the child abuse reporting act by requiring certain written reports of abuse within 72 hours of the oral report, clarifies the duties of child protection teams, specifies that county attorneys be on child protection teams and requires local law enforcement agencies and local welfare agencies to coordinate their respective investigation and assessment efforts when the report alleges a violation of a criminal statute involving sexual abuse or physical abuse. S.F. 1478, authored by Spear, requires notifications to parents placing a child for adoption and to proposed adopted parents concerning parent rights, requires a waiting period for adoption by persons whose parental rights to another child have been terminated and specifies those circumstances that do not constitute good cause for terminating parental rights.

H.F. 580, sponsored by Spear, prohibits employers from requiring a disabled person to undergo a physical examination unless other employees undergo the examination, requires employers to make reasonable accommodation for the known disability of a qualified disabled person or job applicant and requires local commissions to advise parties bringing charges under a local ordinance of those additional protections and remedies under state law.

H.F. 1031, sponsored by Jude, provides that visible staking of the premises does not constitute the actual and visible beginning of improvement for purposes of the attachment of liens. H.F. 318, sponsored by Spear, creates the crime of criminal sexual conduct by impersonating a health care professional and clarifies that consent by the complainant is not a defense. S.F. 1346, authored by Sen. Gene Merriam (DFL-Coon Rapids) provides for financial responsibility when the owner or operator of a hazardous waste facility is bankrupt. H.F. 1034, also carried by Spear, repeals the requirement that the Dept. of Public Safety must keep a record of all first convictions for the crime of possessing a small amount of marijuana. H.F. 1034 was approved for placement on the Consent Calendar.

Committee members also approved two revisor's bills. H.F. 1197 corrects grammar and syntax and H.F. 713 make appropriate text corrections. Both bills are carried by Sen. John Marty (DFL-Roseville).

## Tort bills heard

Judiciary Committee members met twice Mon., Apr. 27. The morning hearing was devoted to discussion on several bills dealing with torts and with immunity from liability. Much of the discussion revolved around the inclusion of bills in the omnibus insurance bill, S.F. 478, carried by Sen. William Luther (DFL-Brooklyn Park). S.F. 478 was before the Judiciary Committee because of a provision granting immunity from liability to volunteer athletic coaches. Panel members did vote to include a bill providing for an asbestos product liability statute of limitations in the omnibus insurance bill. S.F. 1136, sponsored by Luther, specifies that an action for removal or other abatement costs associated with the presence of asbestos in a building must be begun before July 1, 1990. In addition, an amendment requiring the court to instruct the jury that the court will adjust an award of future damages, if any, to present value and permitting counsel to argue the effect of the adjustment during final arguments was also adopted. After adoption of the discounting of future damages amendment the bill was laid over to allow time for interested parties to appear before the committee and present testimony.

In other action, the panel approved H.F. 141, another Luther bill, clarifying existing law on the immunity from liability of nonprofit corporation directors. A bill sponsored by Sen. Joseph Bertram (DFL-Paynesville), providing immunity for volunteer fire chiefs, was amended into H.F. 141. Two additional bills were approved. H.F. 287, sponsored by Sen. Don Samuelson (DFL-Brainerd), clarifies the elimination of vicarious criminal liability for the employer of an individual who violates a liquor law under the dram shop laws. S.F. 801, authored by Sen. Charles Berg (DFL-Chokio), provides for immunity from liability for the Dept. of Natural Resources for injuries resulting from the weakening of ice due to lake aeration as long as required notice and posting provisions are followed.

The evening portion of the hearing resulted in the approval of an additional five bills. H.F. 1371, authored by Sen. Steven Novak (DFL-New Brighton), specifies the locations for holding court in Ramsey County and provides for the disposition of fees. Under the bill, suburban courts will be held in New Brighton and Maplewood but removed from North St. Paul and White Bear Lake. H.F. 706, authored by Sen. Richard Cohen (DFL-St. Paul), clarifies a number of provisions relating to juvenile court proceedings and brings several provisions into conformity with adult court proceedings. S.F. 1472, authored by Spear, strengthens the standards for chemical dependency evaluations for persons convicted of DWI offenses and imposes a chemical dependency assessment charge of \$75 when a court sentences a person convicted of a DWI offense. The bill was re-referred to the Committee on Finance. H.F. 1083, carried by Sen. Randolph Peterson (DFL-Wyoming), clarifies that municipalities may not waive statutory immunities and authorizes municipal insurers to settle tort claims.

S.F. 787, a bill dealing with medical assistance and general assistance medical care, authored by Sen. Linda Berglin (DFL-Mpls.), was before the committee because of provisions dealing with county recovery of medical assistance from the estate of a deceased recipient. Under the measure, the county may recover medical assistance from the estate of a deceased spouse of a deceased recipient. A provision allowing the county to collect for recoverable medical assistance payments as a successor by affidavit was deleted by an amendment adopted by the panel.

## Criminal trial procedures bill approved

Debate on the nature of the criminal justice system provided the focal point for the last meeting of the Judiciary Committee that began in the early evening Tues., Apr. 27 and extended until the early morning hours Wed., Apr. 28. One of the final bills on the agenda, S.F. 220, permitting the court to allow the prosecution to offer a rebuttal closing argument served as a forum for the

discussion. The measure, authored by Sen. Allan Spear (DFL-Mpls.), also allows the court to make a determination on whether to order joinder or separate trials when two or more defendants are jointly charged with a felony. Attorney Ron Meshbesher, one of the opponents to the measure, argued that the bill "suffered from constitutional infirmities" and that the burden was on the proponents to prove the need for changing procedures that have worked well for over a hundred years. Hennepin County Attorney Tom Johnson in speaking for the bill, argued that the bill increased the likelihood of fair trials and would improve the "truth finding mission" of the criminal justice system. After extensive discussion the bill was approved and sent to the full Senate.

Earlier in the evening, another bill dealing with the criminal justice system sparked debate on the history and philosophy of Anglo-American judicial procedures. At issue was a bill permitting crime victims to submit an impact statement to the court at the time of sentencing. S.F. 232, authored by Sen. Richard Cohen (DFL-St. Paul), as originally drafted had permitted the victim to make either a written or oral impact statement. The bill had been amended by the Criminal Law Division to delete the provision for making an oral impact statement. An amendment offered to the full committee reinstated the oral elocution provision. After spirited discussion, the amendment was adopted on a 9-7 roll call vote. The measure also requires police officers to give crime victims notice of their rights and expands the definition of crimes to include ordinance violations resulting in bodily harm for victims' rights provisions. The bill was then approved and sent to the Senate floor.

Committee members also heard public testimony on an amendment that had been placed on the omnibus insurance bill, S.F. 478, that provided for the discounting of future damages in tort actions. An amendment to delete that provision failed to get the panel's approval and the measure, sponsored by Sen. William Luther (DFL-Brooklyn Park), was approved and re-referred to the Committee on Finance. A second Luther bill, S.F. 463, a Commerce Dept. real estate and securities bill also was endorsed by the committee and sent to the full Senate. Most of the discussion centered on a provision relating to abstracts of title that was amended by the author.

Several bills authored by Sen. Tad Jude (DFL-Maple Grove), also were advanced to the full Senate. S.F. 613 is a response to the increase, in recent years, in automobile theft and prescribes higher penalties for major theft. In addition, the bill also provides that orders of restitution may be entered in favor of corporate victims and provides for the disclosure of information that an insurance company may release that relates to motor vehicle theft. H.F. 841, provides civil remedies for unlawful utility meter bypass, tampering and use. H.F. 555 makes it a misdemeanor to give a false or fictitious name, false date of birth, or false identification card to a peace officer with the intent to obstruct justice. H.F. 286 removes the presumption that children under 10 are not competent as witnesses and allows children under 10 to use language appropriate for a child of that age to describe any act or event. H.F. 391 defines the measurement and purity requirements of controlled substances for criminal penalty and tax law purposes by specifying that the required weight of the mixture be 16 grams regardless of purity; the weight be 7 grams of pure substance; that there be 10 dosage units of LSD or PCP or other defined substances; or 200 dosage units of substances not normally sold by weight. Further, the bill specifies the penalties for persons convicted of selling or distributing any quantity of a controlled substance to a person under the age of 15 or conspiring with or employing a person under the age of 18 to sell or distribute controlled substances.

Six additional bills were approved by the committee. H.F. 941, authored by Spear, increases the penalty to a felony for killing a police dog and specifies imprisonment for not more than two years or payment of a fine of not more than \$4,000 and makes it a gross misdemeanor to cause substantial or great bodily harm to a police dog. S.F. 300, authored by Cohen, establishes chemical abuse pre-assessment teams and community advisory teams and requires teachers to report possession, use, and transfer of chemical substances by students. S.F. 670, authored by Sen. Michael Freeman (DFL-Richfield), provides for the detention and confinement of

# Committee Capsule

minors subject to prosecution as adults and limits the detention of juveniles in adult jails. H.F. 1207, authored by Sen. Randolph Peterson (DFL-Wyoming), alters certain redemption periods for purposes of mortgage foreclosures on property not in agricultural use. S.F. 1253, authored by Sen. Pat Piper (DFL-Austin), providing for the training of welfare fraud prosecutors and investigators, was re-referred to the Finance Committee. S.F. 1259, authored by Sen. John Marty (DFL-Roseville) extends the crimes of murder in the second degree and manslaughter in the first degree to deaths caused by the sale or distribution of controlled substances.

## Local and Urban Government

### Public meeting bill endorsed

Additional requirements for compliance with the Open Meeting Law were approved, Thurs., Apr. 23, by the Local and Urban Government Committee.

The committee adopted a delete-everything amendment to S.F. 1272, authored by Sen. Darril Wegscheid (DFL-Apple Valley), which brought the bill into line with the House bill, H.F. 793.

The bill adds to the requirements of existing law regulating public meeting notices by requiring public bodies to keep schedules of regular meetings on file and to give public notice when the time or place of the regular meeting is changed. In addition, the bill requires that notices of special meetings be posted on a public bulletin board or on the door of the usual meeting room; that persons requesting notices of special meetings receive the notice at least three days prior to the meeting date or the public body may publish the notice at least three days prior to the meeting in the official or designated newspaper; and that the public body make good faith efforts to provide written notice of emergency meetings to news media requesting the notices. Notice requirements for open meetings also apply to closed meetings, according to the bill.

The notice requirements apply to state agencies only when statutes governing the agencies meeting notices are not covered by specific provisions.

Finally, the measure states that no fine or other penalty may be imposed on a member of a public body for violating the requirements unless it is established that the violation was willful and deliberate.

The committee is chaired by Sen. Robert Schmitz (DFL-Jordan).

### Road survey bill okayed

The Local and Urban Government Committee, Mon., Apr. 27, approved a measure allowing alternative methods for recording township roads.

Sen. Charles Davis (DFL-Princeton) sponsors H.F. 542 establishing procedures for obtaining surveys of town roads and allowing the adoption of town maps as evidence of right-of-ways. The bill also clarifies the town boards' authority over the 66 feet of right-of-way of a town road.

Dave Fricke, executive director of the Minnesota Association of Townships spoke in support of the bill. There has been a recent push to record all township roads following the increased incidence of costly litigation involving private landowners and town boards, he said.

Hennepin County Land Surveyor Bernard Larson also supported the bill but said the bill as written contains some inaccurate directives for obtaining surveys.

A bill which would have placed more stringent regulations on the hiring practices of the Metropolitan Airports Commission (MAC) and would have applied procedures of the Administrative Procedures Act to the MAC, was laid over for further study by the committee.

Sen. John Brandl (DFL-Mpls.), author of S.F. 1020, said the bill, designed to establish standards of conduct for the MAC, was not the result of any perceived ethical misconduct by the commission but

he felt the legislation was needed because the MAC is in the unique position of both promoting the airline industry and of establishing public environmental policy.

The panel laid the bill over following comments by Sen. Darril Wegscheid (DFL-Apple Valley) who felt that the MAC, one of several metropolitan agencies, should not be singled out for establishment of a code of conduct. The bill had been laid over in the Metropolitan Government Subcommittee but was heard by the full committee following passage of the House companion bill.

## Public Utilities and Energy

### Phone service deregulation bill okayed

A bill allowing for the deregulation of some telephone services was approved at an evening hearing of the Public Utilities and Energy Committee Thurs., Apr. 23. The measure, S.F. 677, sponsored by committee chair Sen. Ron Dicklich (DFL-Hibbing), provides for the reduced regulation of certain competitive telephone services. An amendment adopted by the committee lists 24 services, mostly specialized or business services, that are described as being "in a state of emerging competition." Rates for those services could be raised or lowered by telephone companies after notifying the Public Utilities Commission. The PUC would have the authority to change the rates after studying the new rates. For services not named in the bill, the rate setting procedure would remain as it is under current law with the PUC having to approve changes in rates. After substantial discussion the measure was approved and sent to the Senate floor.

### Rate adjustment bill gains

Committee members, chaired by Sen. Ron Dicklich (DFL-Hibbing) met Tues., Apr. 28, to reconsider a bill the committee had failed to endorse last week. At issue was a bill requiring utility companies and telephone companies to adjust rates based on the impact of the 1986 Federal Tax Reform Act. On the motion of Gene Waldorf (DFL-St. Paul) the panel voted to reconsider the bill. The measure, S.F. 1191, sponsored by Sen. John Marty (DFL-Roseville), was then amended by the author to permit the PUC to order a public utility or telephone company to adjust its rates retroactive to July 1, 1987, and make necessary refunds to reflect any revenue requirement impact of the Tax Reform Act.

Debate on the bill then centered on the possible impact of state tax increases on utilities and telephone companies. In addition, representatives from Northwestern Bell testified against the bill arguing that the measure did not allow the PUC to take other factors, such as state taxes, into consideration. However, the bill did gain the committee's approval on a 7-6 roll call vote and was sent to the full Senate.

## Taxes and Tax Laws

### Canterbury Downs tax cut gains

The Canterbury Downs racetrack in Shakopee, now entering its third race season, will pay \$5 million less in state taxes over the next two years, according to a bill approved, Thurs., Apr. 23, by the Taxes and Tax Laws Committee.

Sen. Robert Schmitz (DFL-Jordan), sponsor of S.F. 724, said although the racetrack reported a financial loss last year, the facility contributed greatly to the state's revenue through property taxes, income taxes on winning bets, admission taxes and the pari-mutual tax.

It is the pari-mutual tax that the legislation lowers by \$4 million in 1987 and by about \$944,000 in 1988. Canterbury Downs paid \$6 million in pari-mutual taxes in 1986, Schmitz said.

The bill originally provided for about \$13.4 million in tax relief but was amended to the \$5 million figure by tax committee chair

Douglas Johnson (DFL-Cook) at the Wed., Apr. 22, meeting.

Johnson's amendment also requires that the track use the amount gained from the tax reapportionment to enlarge the purses paid to owners of winning horses.

Horse owners testified that larger purse sizes will make the racetrack more competitive with other racetracks around the country.

A delete-all amendment to the bill, authored by Sen. Ember Reichgott (DFL-New Hope), would have caused no change in the tax or purse structures but would have provided a \$1 state tax credit for every \$2 Canterbury Downs put into race purses. Reichgott said the amendment would require Canterbury Downs to be involved in solving the racetrack's financial problems. Before a tax break is given, the state should evaluate the situation over the coming year and see if it is really needed, Reichgott said. The amendment was narrowly defeated on a 12-12 vote. The measure was sent to the Senate floor on a 13-10 vote.

## Ethanol bill sent to floor

Legislation requiring that most unleaded gasoline sold in the state after June 30, 1988 be blended with 10 percent ethanol was approved by the Taxes and Tax Laws Committee, Tues., Apr. 28, and sent to the Senate floor.

The bill, S.F. 729, authored by Sen. David Frederickson (DFL-Murdock) requires that unleaded gas with an octane rating of 90 or less be blended with ethanol and repeals the state's ethanol consumption tax credit.

Benefits of adopting the measure include additional corn consumption, added revenue for the state government, increased ethanol plant development and an increase in jobs, according to Frederickson. An added benefit if ethanol use becomes widespread is a decline in the country's dependence on foreign oil imports, he said.

Opponents of the plan believe it will be costly to implement, may affect the amount of federal money paid under the current ethanol credit, may cause the prices of other agricultural products, soybeans in particular, to fall, and that consumers have already chosen not to purchase currently available ethanol gas. Another major concern the opponents cited is that ethanol may harm automobile and small machine engines.

In other action, the committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved S.F. 1105, a \$194.8 million bonding proposal for recreational and natural resources projects around the state. Proposed programs include: park acquisition and improvement, improvement of certain state forests, wildlife management areas, scenic rivers, and metropolitan open space areas; acquisition and development of athletic training facilities; and municipal wastewater treatment grants. Sen. Steven Novak (DFL-New Brighton), author of the measure, amended the bill to remove excise and use tax provisions. The measure was re-referred to the Finance Committee.

S.F. 596, establishing an Iron Range fiscal disparity system, was approved and sent to the Senate floor. Johnson, the bill's sponsor, said the proposal will distribute taxes on new commercial plants and properties among range communities.

An amendment by Sen. Bob Lessard (DFL-Int'l. Falls) changed the disparity percentage from 60/40 to 70/30 with the lesser amount being spread among the communities lacking new development. An author's amendment moved administration of the system from county auditors' offices to the commissioner of revenue.

Supporters of the measure said the plan will create equality on the Range and will supply additional revenue to the communities suffering the most from declines in the tax base. Opponents, represented largely by Grand Rapids area officials, said their city would be the loser with tax reapportionment because it is the most heavily populated area of the Range and is the only one with a reasonably stable economy. However, Johnson pointed out that Grand Rapids shares taconite tax distributions although it has no taconite plant. The bill originally failed to pass out of the committee but was approved following a motion to reconsider the vote by Sen. Gary Laidig (R-Stillwater).

The committee laid over a bill allowing Scott County to impose an admissions tax on Canterbury Downs tickets. Sen. Robert Schmitz's (DFL-Jordan) bill, S.F. 1014, originally applied the tax to the county's three major attractions— Canterbury Downs, Valley Fair and the Renaissance Festival— but Sen. Minority Leader Duane Benson (R-Lanesboro) was successful in his amendment to exclude Valley Fair and the Renaissance Festival from the tax. Benson said it wouldn't be fair to tax the two attractions because they already pay some taxes to the county. Schmitz was reluctant to pursue passage of the bill after the amendment was approved. He said that a single tax on the racetrack would raise only one-third of the amount needed for the county's road and bridge projects.

A measure extending Hennepin County's bonding authority to library construction and improvement, H.F. 1266 (Reichgott), was approved and sent to the General Orders Calendar as were two measures authored by Sen. Gene Merriam (DFL-Coon Rapids). S.F. 1095 clarifies determinations of tax payments to local taxing districts and S.F. 1117 provides for collection of a convicted person's tax refund to be given as restitution to crime victims.

The committee sent two bills to the Consent Calendar. S.F. 1504 (Merriam) exempts Anoka County from a requirement to file a notice on the deadline for a solid waste project. H.F. 1355 (Berglin) clarifies that Minneapolis city employees may work for the convention and tourism bureau. An amendment to the bill, offered by Sen. Tad Jude (DFL-Maple Grove) releases taxpayers from an obligation to pay city of Minneapolis use taxes until the amount reaches \$10.

## Transportation

### Panel approves highway funding bill

Members of the Transportation Committee sent the highway funding bill, S.F. 1503, to the Committee on Rules and Administration Tues., Apr. 28.

The bill, authored by committee chair Sen. Clarence Purfeerst (DFL-Faribault), raises the registration tax by ten percent for passenger automobiles, motorcycles, farm trucks, trailers, trucks, tractors, and semi-trailers, buses, recreational vehicles, and motorized bicycles. The proposal also doubles the fees for driver's licenses, imposes a six percent excise tax on gasoline and diesel fuel, and allocates ten percent of the fees earned from the driver's license fees to the transit assistance fund. According to Purfeerst, 90 percent of the proceeds would go to the trunk highway fund and ten percent to the general fund.

Purfeerst noted that the proposal is designed to accommodate the governor's request that the motor vehicle excise tax be put into the general fund to help balance the state's budget. Of the \$275.8 million highway funding budget for the biennium, 62 percent is allocated for state highway spending, 29 percent for counties, and nine percent for municipalities. Included in those distributions are: \$168.8 million for the trunk highway fund; \$71.4 million for county state aid highway; \$22.1 million for municipal state street aid; \$12.9 million for the transit assistance fund; and \$500,000 for the ethanol development fund.

Bob Johnson of Minnesota Good Roads spoke before the committee and applauded Purfeerst for taking a leadership role and for "coming up with at least some funding for Minnesota highways." Johnson told panel members that the transfer of the motor vehicle excise tax means a \$212.6 million loss for the state highway trust fund, that public transit service in rural and small urban areas in the state are in severe jeopardy, and suggested that dollars for the motor vehicle excise tax transfer be replaced.

In other action, the committee sent three measures to the Senate floor. H.F. 813, carried by Sen. James Metzger (DFL-South St. Paul), allows political subdivisions to define bicycle trails, designate shoulders as well as roads as bike lanes and bike routes, and requires that bicyclists ride in the same direction as the traffic is moving. H.F. 404, sponsored by Sen. Joe Bertram (DFL-Paynesville), provides for posting exempt signs at railroad grade crossings used by trains less than five times a year. S.F. 1241, authored by Sen. Darril Wegscheid (DFL-Apple Valley), establishes qualification

guidelines for metropolitan government commission members, requires that the council report to the legislators on transit developments and requires that the services and system management provide maps pertaining to transit service information. The measure also requires that policies be set to coordinate and implement transit programs in the state and metropolitan area.

## Veterans

### Veterans health care funding requested

The Veterans Committee, chaired by Sen. Joe Bertram (DFL-Paynesville), completed its work for the session by approving a measure asking the U.S. Congress to maintain the Veterans Administration system of health care facilities. According to Bertram, sponsor of the measure, Congress needs to adequately fund the health system to avoid jeopardizing the level of health care provided. The bill, H.F. 462, was placed on the Senate Consent Calendar.

## Floor Action

### Bill permits second racetrack in Twin Cities

A bill allowing the Minnesota Racing Commission to issue an additional license for a race track within the seven-county metropolitan area gained final approval at the Mon., Apr. 27, floor session. S.F. 863, authored by Sen. Darril Wegscheid (DFL-Apple Valley), authorizing licensure for a standard-bred only race track, requires that the second track be located no closer than 25 miles from Canterbury Downs, and repeals state law allowing Canterbury Downs to hold a horse racing monopoly in the state.

The Senate also granted final passage to two other measures. S.F. 1296, sponsored by Sen. Linda Berglin (DFL-Mpls.), authorizes a tax-exempt status to Gillette Children's Hospital. According to Berglin, the IRS has approved the status and the hospital will now be able to attract tax deductible contributions. The legislation becomes effective immediately, Berglin said. The third measure, S.F. 678, authored by Sen. Steven Novak (DFL-New Brighton), allows the Rice Creek watershed district to increase their administrative fund account.

Most of the discussion during the Monday session centered on a measure relating to public utility service in the Hibbing area. S.F. 134, authored by Sen. Ronald Dicklich (DFL-Hibbing), requires that the Public Utilities Commission resolve the utility service dispute between the Minnesota Power Company and the National Steel Pellet Company. Debate on the bill was in response to an amendment to the proposal, offered by Dicklich, limiting minimum electric charges to fixed cost of the utility company. According to the amendment, the demand charge for customer's who have a connected load of over 100,000 watts may not be more than the customer's fixed cost. Arguing for support of the amendment and noting that the power company could re-sell the services in the open market, Dicklich said, "if the company is going to make a rate of return, it should not be one tossed onto a hurting industry."

Senators Sam Solon (DFL-Duluth), Don Frank (DFL-Spring Lake Park) and Donald Storm (IR-Edina), strongly opposed the amendment saying it gives PUC authority to the Legislature. "It is the PUC's responsibility to decide rate design, not the Legislature's," Frank said.

But Dicklich said that the proposal does require that the PUC deal with the issue before any action is taken. Sen. Douglas Johnson (DFL-Cook), supporting the amendment, said that the proposal would encourage more competition in the industry. "This is a critical issue that could create thousands of jobs. The taconite industry is in trouble and the amendment is needed and requested by the six remaining taconite plants in the area," Johnson said.

Storm noted that while the bill states that the public utility rates are not to be prejudicial or discriminatory, "the amendment is prejudicial and discriminatory. It effects one company and implies that the rates for the smaller companies will be severely impacted."

Storm also said that the mining companies would get preferential treatment at the power company's expense and that is "artificially propping up the mining industry."

The amendment failed on a 31-31 role call vote.

## Senate begins daily floor sessions

Members of the Senate gathered Wed., Apr. 29, and granted final approval to two bills. S.F. 473, on the Consent Calendar, authored by Sen. John Brandl (DFL-Mpls.) requires that the commissioner of health and human services provide members of the Legislature with a summary of studies conducted on low-level ionizing radiation. On the Senate Calendar, H.F. 510, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), allows Dakota County to establish their own personnel system and be exempt from the state merit system.

Senators also granted preliminary approval to a number of bills on the General Orders Calendar. H.F. 29, authored by Sen. Don Frank (DFL-Spring Lake Park), strengthens child restraint laws by requiring that when transporting a child, all motor vehicle operators, rather than just parents, are responsible for putting children under four years of age in a restraint system. Frank noted that although the penalty for the violation is \$45, the violation would not go on a driver's record.

S.F. 800, authored by Wegscheid, authorizes certain charges on open-end loan accounts. The measure also establishes charges on the use of automated teller machines, delinquency and collection payments, and miscellaneous services. Another measure sponsored by Wegscheid, S.F. 1031, requires that the Minnesota Task Force on Interior Designers and Decorators determine whether or not decorators and designers should be licensed.

S.F. 225, carried by Sen. Betty Adkins (DFL-St. Michael), allows townships to adopt general welfare powers similar to those granted to statutory cities. According to Adkins, township electorates may choose which general welfare powers they will adopt at their annual meeting.

S.F. 183, authored by Sen. Don Samuelson (DFL-Brainerd), allows persons with valid motor vehicle driver's licenses to drive snowmobiles across highways.

S.F. 353, sponsored by Sen. Tad Jude (DFL-Maple Grove), extends water management privileges by allowing metropolitan counties to adopt ground water plans and to delegate preparations of the plans to soil and water conservation districts. Another measure authored by Jude, S.F. 1183, allows the city of Minneapolis to issue an on-sale liquor license to the American Swedish Institute.

A bill relating to employment, H.F. 823, sponsored by Wegscheid, protects employees by allowing an employee who has been terminated to request a written notice from an employer as to why the employee has been terminated.

S.F. 1072, authored by Sen. Pat Piper (DFL-Austin), requires that the Public Utilities Commission implement a program to educate new members about the commission, provide continuing education programs to the new members, and increase the period of time from 15 to 90 days in which the PUC must conduct a hearing when there is a complaint relating to a dispute between two electric utility companies.

Three measures relating to liquor, authored by Sen. Sam Solon (DFL-Duluth), also gained preliminary approval. S.F. 897 repeals current law requiring the filing of monthly liquor wholesaler's price lists. S.F. 1114 defines which non-liquor items may be sold in liquor stores and allows new and used barrels to be used in aging whiskey. The measure also imposes a limit on the amount of sugar contained in certain liqueurs. S.F. 1152 restricts the sales tax of dealers who are delinquent and imposes a penalty for violation.

S.F. 751, authored by Samuelson, allows trust funds to be deposited in savings and loan association accounts and credit unions.

### Bill limiting fundraisers gets Senate okay

A state lawmaker would be prohibited from soliciting lobbyist for contributions during the legislative session, according to a bill that won preliminary approval Wed., Apr. 29. Sponsored by Sen. Charles

Berg (DFL-Chokio), the measure further prohibits lobbyists from providing food, drink or entertainment to state senators or representatives during the session.

Under the measure, state legislators would still be able to raise money during a legislative session by conducting caucus fundraisers. However, individual lawmakers are forbidden from soliciting funds during the session. The proposal, S.F. 604, further limits a person from contributing more than \$2,500 per year to candidates for the Legislature and state constitutional offices.

In other action, the Senate gave preliminary approval Wednesday evening to the following proposals: S.F. 1078 (Frederickson, D.R.) requiring mortgage lenders to provide a 90-day written notice of impending foreclosures to borrowers; S.F. 598 (Berglin) extending the hospital expansion moratorium; S.F. 1237 (Berglin) requiring employers to notify employees of health plans being discontinued; S.F. 823 (Solon) permitting the city of Duluth to acquire banks for the operation of detached banking facilities; S.F. 461 (Willet) altering provisions relating to the sale of state timber; and S.F. 1092 (Willet) establishing a process whereby Great Lakes provinces and states can respond to plans by Minnesota to divert large amount of water from the state to, possibly, water-poor states.

Other bills winning preliminary approval include: S.F. 385

(Merriam) making minor changes to the state's game and fish laws; S.F. 1053 (McQuaid) licensing "micro-breweries" and allowing them to be granted an on-sale liquor license; S.F. 764 (Reichgott) allowing a spouse's testimony with respect to crimes committed against children; S.F. 948 (Berglin) permitting evidence showing a tendency to fabricate allegations of sexual assault and requiring three days' notice of intent to introduce evidence of victim's prior sexual conduct; S.F. 947 (Berglin) dictating circumstances in which the court may stay execution of a sentence following conviction for a second or subsequent offense relating to criminal sexual conduct.

S.F. 605 (Bertram) making it a crime to use a police radio while committing a criminal act; S.F. 79 (Pogemiller) updating laws regulating podiatrists; S.F. 578 (Reichgott) making technical changes to laws regulating the organization and operation of business corporations; S.F. 607 (Bertram) authorizing peace officers to inspect for regulated tires; S.F. 833 (Solon) allowing individuals to purchase PPO—Preferred Physician Organization—insurance; and H.F. 1009 (Novak) requiring that standards for Metro Mobility and special transportation services include assuring that drivers meet certain training requirements, requiring inspection of the vehicles and requiring that the Regional Transit Board implement a special transportation service in the metropolitan area.

# Preview

## The Minnesota Senate Week at a Glance

**Monday, May 4, 1987**

Senate will be in session at 9:00 AM

**Tuesday, May 5, 1987**

Senate will be in session at 12:00 Noon

Aids Seminar in the Senate Chamber at 2:00 PM

**Wednesday, May 6, 1987**

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** Confirmation hearings for Governor's appointments of MN Department of Agriculture and Board of Animal Health.

Senate will be in session at 12:00 Noon

**Thursday, May 7, 1987**

**Joint Senate-House Finance Subcommittee on Claims**, Chair:

Gregory Dahl

8:00 AM Room 123 Capitol

**Agenda:** Various claims.

Senate will be in session at 12:00 Noon

**Friday, May 8, 1987**

**Education Committee**, Chair: James Pehler

8:30 AM Room 15 Capitol

**Agenda:** Confirmations of: Higher Education Coordinating Board, MN School of the Arts and Resource Center Board, and the State University system.

**General Legislation and Public Gaming Committee**, Chair: Bob Lessard

10:00 AM Room 107 Capitol

**Agenda:** S.F. 727-Lessard: Lottery enabling legislation.

Senate will be in session at 12:00 Noon

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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## The Minnesota Senate Week in Review May 8, 1987

### Senate okays \$705 million tax plan

A tax plan adding \$705 million in new revenues for the state's financial operations over the next two years gained the Senate's final approval, Tuesday, May 4, and was sent to a House-Senate conference committee where major differences in the two legislative proposals must be ironed out. The plan does not include a 15 cent per pack cigarette tax increase and a highway funding measure, each of which were approved separately.

The plan, H.F. 529, authored by Senator Douglas Johnson (DFL-Cook), was narrowly approved on a 36-30 vote following a three and one-half hour debate. IR opponents, joined by 10 DFL Senators in their no votes, did not offer amendments to the plan. However, Senate Minority Leader Duane Benson (IR-Lanesboro) unsuccessfully moved to have the bill referred back to the tax committee for revision.

The three chairmen of the various Tax Committee divisions, Lawrence Pogemiller (DFL-Mpls.), Steven Novak (DFL-New Brighton) and LeRoy Stumpf (DFL-Plummer), each explained provisions of the tax articles developed in their divisions.

Under provisions of the bill, new revenues are raised from extension of the sales tax to previously exempt organizations, an alternative minimum tax on corporations, the telephone gross earnings tax and a variety of lesser taxes.

Johnson said the plan solves an \$800 million budget crisis and maintains a budget reserve. The plan will avoid the necessity for short-term borrowing and will upgrade the state's credit rating, Johnson said. He also pointed out that the Senate plan did not give up on property tax reform as did the proposals offered in the governor's plan and the House plan. The Senate plan also returns the approximately \$600 million in federal income taxes returned to the state back to taxpayers, Johnson said.

But Senator Donald Storm (IR-Edina) said the plan was "a black cloud hanging over the state of Minnesota." Storm said the plan calls for a host of new taxes which will add to the burden of low-income and poor taxpayers. "That is a shock coming from the party who has claimed to be the protectorate of the poor," Storm said.

Senator John Bernhagen (IR-Hutchinson) criticized the plan for catering to special interests and said "Whoever has the least voice is chosen for inclusion in the sales tax." Senator Lyle Mehrkens (IR-Red Wing) said tax relief is not targeted to depressed agricultural regions and that the property tax reform will effect an increase at a time when there should be a decrease. "The tax bill contradicts what the majority ran on during the last election," Mehrkens said.

Johnson said that the proposal is fair and progressive and will provide stability to the state, but conceded that some provisions of the bill, including the alternative minimum tax on corporations, pension exclusions, extending the sales tax to purchases by non-profit hospitals and nursing homes and other items, will be negotiated in the conference committee.

### AIDS seminar held

In an unprecedented action Tuesday, May 5, members of the Senate and their staff gathered in the Senate chamber to attend an educational seminar on Acquired Immune Deficiency Syndrome (AIDS) sponsored by Majority Leader Roger Moe and Minority Leader Duane Benson. The usual hectic pace of the closing days of a Legislative Session was interrupted, said Moe, to highlight the serious nature of the growing public health threat posed by AIDS.

Speakers at the seminar included state epidemiologist Michael

Osterholm, a 32-year-old man who has been diagnosed with AIDS Related complex (ARC), Dick Hanson, a young man with AIDS, the father of an AIDS victim, a representative of the Dept. of Education and the executive director of the Minnesota AIDS Project, Eric Engstrom.

The purpose of the Seminar, according to both Moe and Benson, was to provide leadership by example in educating the public about AIDS. Osterholm provided a general overview of the disease from a public health prospective and of the public health policy questions provoked by the spread of the disease. Hanson described the effect, both physical and emotional, of the disease on his life and spoke of the need for public understanding of the toll the disease takes. Finally, Eric Engstrom, spoke about the efforts of the Minnesota AIDS Project to provide information and support to persons concerned about AIDS.

### Senate passes welfare reform bill

The full Senate gave final passage Thursday, May 7, to the family self-sufficiency bill, which makes several changes in the state's welfare laws and requires the commissioner of human services to designate five counties for mandatory wage-withholding child support programs. Under the bill, S.F. 682, counties may volunteer for the program; however, at least five must be chosen. Before granting final passage, the Senate deleted a provision in the bill that would have instituted the withholding program statewide beginning in 1989.

Much of the funding for the welfare reform proposals are provided in the omnibus health and human services appropriations bill, explained bill author Marilyn Lantry (DFL-St. Paul). Included in that measure are added dollars for child care services and money for job training programs. Also, money for a proposed family health insurance program are contained in the cigarette tax increase bill. Under that program, coverage is provided to uninsured pregnant women or women who have children under seven years of age.

Her proposal, she said, sets out the policy changes to help AFDC and General Assistance recipients achieve self-sufficiency and independence from the welfare system. Lantry's proposal also appropriates \$50,000 for the wage-withholding pilot program.

### Increase in speed limit approved

A bill increasing the speed limit to 65 miles per hour on rural interstate highways gained final passage during the Thursday, May 7, Senate floor session. S.F. 1369, authored by Sen. Clarence Purfeerst stirred heated debate before gaining final passage on a 44-21 roll call vote. Much of that debate centered on an amendment offered by Sen. Marilyn Lantry (DFL-St. Paul), that would reverse a provision in current law that does not require recording violations under 65 miles per hour from a driver's record. The Lantry amendment, which was adopted, requires that all violations for speeding go on a driver's record.

## Finance

### Human services funding bill advances

A \$2.24 billion health and human services appropriations bill gained the support of the the Finance Committee Sat., May 2, and was sent to the Senate floor for final consideration. The measure, assembled by the Division on Health and Human Services, is about a 10.3 percent increase in funding over last biennium and falls

# Committee Capsule

nearly \$7 million under the governor's spending recommendation, said bill sponsor Sen. Don Samuelson (DFL-Brainerd).

The proposal designates \$1.8 billion for human services, \$60 million for health programs and \$197 million for the Dept. of Corrections. According to Samuelson, about \$1.16 billion contained in the measure funds various state entitlement programs.

In new funding, day care services would gain about \$14 million, receiving a total of \$26 million in state funds for the biennium. And, the bill authorizes \$25 million in funding for MEED, the state's wage subsidy employment program. Another \$9.2 million is provided for employment and training programs, and the bill includes a \$37.2 million appropriation for mental health programs. Also, a \$2 million increase is authorized for the state's WIC program.

State hunting and fishing licenses would be raised between two and five dollars to generate about \$6 million for the game and fish fund, under another bill approved by the committee Saturday. S.F. 1056, carried by Sen. Charles Berg (DFL-Chokio), also would charge a fishing license fee of \$3.50 to senior citizens, who, according to Berg, have fished free since about 1974. The measure also institutes a surcharge on small game and deer hunting licenses. The additional charge would finance hunter education and firearm safety programs. The bill was sent to the Senate floor.

A task force would study the possibility of establishing a common course numbering system among the various state colleges and universities, under another bill referred to the floor by the committee. The measure, S.F. 1307, carried by Sen. Gene Waldorf (DFL-St. Paul), requires the task force to report its findings to the Legislature.

A bill intending to reduce the workload of the state court of appeals and save the state money also won committee endorsement Saturday. Carried by Sen. William Luther (DFL-Brooklyn Center), the measure, S.F. 1340, removes the requirement that all opinions be written, thus allowing the judges to spend more time on reviewing other cases. The unpublished opinions of the court would not be precedential.

Persons parking their cars illegally within handicapped parking zones could face a fine up to \$500, under another bill approved Saturday. Sponsored by Sen. Donna Peterson (DFL-Mpls.), the proposal S.F. 451, also would require handicapped parking certificates to be issued only to persons permanently handicapped and mandates the permits be renewed every five years.

The committee approved a measure licensing home care agencies. Included in the requirement are agencies providing services such as physical care, and nursing and hospice care. The bill, S.F. 51, authored by Sen. Linda Berglin (DFL-Mpls.), also establishes a complaint procedure for home care clients. The measure was sent to the Senate floor.

Other bills winning the committee's approval Saturday include: S.F. 575 (Merriam) appropriating money for the printing and mailing of information regarding organ donations; S.F. 652 (Peterson, R.W.) establishing a computerized system for security interest records; S.F. 712 (Berglin) establishing limits for child care sliding fees; S.F. 735 (Adkins) funding interpreter services for hearing impaired; S.F. 776 (DeCramer) consolidating the Soil and Water Conservation Board and the Water Resources Board into one agency; S.F. 875 (Marty) providing for the low-income energy conservation program; S.F. 935 (Dahl) requiring feasibility study for storm shelters in above-grade single family housing; S.F. 946 (Berglin) distributing the county share of fiscal sanctions to the counties; and S.F. 1175 (Luther) allowing the supreme court to sell computer software.

Other bills approved include: S.F. 1260 (Marty) providing for child care expenses for members serving on public boards; S.F. 1396 (Berglin) providing for a conciliation conference concerning appeal rights of persons with mental retardations; H.F. 526 (Samuelson) encouraging regional centers and state operated nursing homes to provide expertise and support services to other governmental and health care organizations; H.F. 591 (Brandl) making direct payments to shelter facilities; and H.F. 721 (Berglin) creating procedures for recovering overpayments to nursing home.

## Cigarette tax increase earns approval

In other action this week, the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) okayed a bill requiring Minnesota smokers to pay 15 cents more in state taxes for a pack of cigarettes. The bill, S.F. 1210, carried by Sen. Linda Berglin (DFL-Mpls.), designates revenue from 7 cents of the tax to the general fund; 4 cents for retiring debt service in bonding authorized under the governor's capital budget; 3 cents for a family health insurance program; and 1 cent for a public health fund.

The committee advanced a bill Wednesday evening, May 6, allowing courts to impound the license plates of repeat DWI offenders. The measure, S.F. 392, sponsored by Sen. Allan Spear (DFL-Mpls.), allows special license plates to be issued to violators permitted to drive within limited times. And, the special license plates, which would cost \$25, could be issued to the violator if a family member has a valid driver's license.

The panel also okayed a bill imposing a chemical dependency assessment charge when a court sentences a person convicted of a DWI offense. Also sponsored by Spear, the bill, S.F. 1472, places the charges into a special account, which would reimburse counties for the costs incurred from chemical use assessments.

The omnibus insurance bill, S.F. 478, carried by Assistant Majority Leader William Luther (DFL-Brooklyn Center), also gained committee approval Wednesday evening. The measure, S.F. 478, makes several changes to insurance laws, including requiring that the Temporomandibular joint disorder (TMJ) is covered under medical insurance and setting minimum benefits for mental health treatment coverage for insurance policies.

Three other bills gaining committee approval Wednesday evening include: S.F. 463 (Luther) regulating securities and the business of financial planning; S.F. 1479 (Dahl) providing grants and loans for rehabilitation and construction of waste water treatment facilities and systems; and H.F. 642 (Hughes) prohibiting licensing of supportive living residences.

## Taxes and Tax Laws

### Tax plan moved to floor

The Taxes and Tax Laws Committee gave endorsement to a \$705 million tax bill, H.F. 529, on a 15-10 roll call vote, Sat., May 2.

Sen. Douglas Johnson (DFL-Cook), chair of the committee and chief author of H.F. 529, called the Senate tax plan "the most dramatic income and property tax reform in the history of the state." A measure implementing a 15 cent per pack cigarette tax and a highway funding measure, both considered separately from the major tax plan, will raise additional revenues.

The bill deviates from both Gov. Rudy Perpich's proposal and the plan approved by the House. The major differences are in property tax reform—the other proposals called for none this session—and by extending the sales and corporate taxes to a wider number of businesses and services.

Tax division chairs Sen. LeRoy Stumpf (DFL-Plummer), Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. Steven Novak (DFL-New Brighton) gave overviews of the sales, income and corporate and property tax articles of the bill. Johnson presented the remainder of the 21 articles of the bill.

The Senate tax plan, according to proponents, solves the state's projected budget shortfall by broadening the tax base, reduces the number of property tax classifications from 68 to 9, reduces the tax burden for three-quarters of Minnesota taxpayers, conforms to federal tax reform, closes tax loopholes for special interests, lowers the overall corporate tax rate from 12 to 8.9 percent, removes incentives for local governments to overspend, keeps local aid to cities and provides an increase in aid to "distressed" cities.

Opponents of the measure said the proposal lacks a clear policy for determining which services are to be taxed, is unfair in imposing a higher percentage tax on higher income wage earners, and penalizes IRA investors by imposing a tax at the time of withdrawal. In addition, opponents said that the alternative minimum tax is a "shotgun" approach to ensuring that all corporations pay their share

of taxes, and that it is philosophically wrong to tax non-profit hospitals and nursing homes. Removal of the military pay exemption was also a bone of contention with the opponents.

Under the plan, additional revenues will be raised from the corporate income tax (\$161.5 million), telephone gross earnings tax (\$118.2 million), elimination of the tobacco tax exemption for prisons (\$800,000), railroad and barge fuel excise tax (\$15.1 million), extension of the sales tax to previously exempt government agencies, non-profit organizations and service businesses (\$353.5 million), insurance gross premiums tax (\$24.5 million), deed and mortgage registration taxes (\$27 million) and a value-based tax on liquor and beer (\$11.6 million).

Fifteen amendments to the bill were heard. Major ones that were adopted include two offered by Pogemiller. The first would result in bringing more businesses under the umbrella of the alternative minimum tax. The second provides that cities may add an additional three percent tax on charitable gambling with the proceeds to be used for regulation of the lawful gambling. The committee also adopted amendments offered by Novak, allowing three metropolitan school districts to levy .7 mill for secondary vocational education, and by Sen. Tad Jude (DFL-Maple Grove) allowing the raising of levy limits for fast growing areas of the state. Also approved were amendments offered by Sen. Charles Berg (DFL-Chokio), removing the two percent gross premium tax on mutual insurance companies, and by Sen. William Belanger (IR-Bloomington), repealing the optional one percent sales tax Bloomington was granted in 1987 for the Megamall project.

Amendments offered by Sen. Gary Laidig (IR-Stillwater) and Sen. Don Anderson (IR-Wadena) were not adopted by the committee. Laidig's amendment would have allowed a federal targeted jobs credit and Anderson's would have exempted businesses not showing a profit from the alternative minimum tax.

The Economic Development article of the bill gained considerable attention because it wasn't first heard in the Economic Development and Housing Committee and because it contained a general fund appropriation for a \$500,000 loan to Aitkin County. Sen. Florian Chmielewski (DFL-Sturgeon Lake) who represents part of Aitkin County, said the funding is needed to finance the reopening of Quadna Mountain resort. The resort's closing has caused massive lay-offs in the community of Hill City, Chmielewski said.

At the conclusion of the seven hour meeting, H.F. 529 was sent to the Senate floor.

### Highway funding bill advanced

The Taxes and Tax Laws Committee, Tues., May 5, adopted a \$179 million highway funding bill which would fund metropolitan transit and trunk highway projects. The plan also earmarks five percent of the money raised through the tax and spending plan to the state general fund.

The plan adopted was far short of the \$275 million package proposed by Sen. Clarence Purfeerst (DFL-Faribault) in S.F. 1503. Purfeerst's original plan would have raised money through an increase in automobile registration fees, doubling driver's license fees and implementing a six percent excise tax on gasoline and diesel fuels.

Committee chair Douglas Johnson (DFL-Cook) called the provision a "budget buster" and pointed out that the House highway budget plan only calls for \$45 million in revenues. Johnson's amendment, adopted by the committee, eliminated the registration fee hikes.

A separate \$40 million appropriation for metropolitan transit was approved previously by the Semi-States Division of Finance and will be coupled with the highway funding package approved by the Taxes and Tax Laws Committee when the measure is up for consideration by the Committee on Finance.

The panel recalled S.F. 1014, authored by Sen. Robert Schmitz (DFL-Jordan), approved the measure and sent it to the Senate floor. The bill authorizes Scott County to impose a 25 cent tax on Canterbury Downs admissions. The measure originally would have imposed the tax on Valley Fair and Renaissance Festival admissions but provisions relating to the two attractions were amended out of the bill at a previous meeting and the bill was laid over.

A measure providing for the registration and taxation of trailer park homes also received the committee's endorsement. S.F. 1449, authored by Sen. Steven Novak (DFL-New Brighton), defines three types of mobile homes and applies a separate registration tax for each and imposes personal property taxes on those park trailers not displaying current registration receipts. The measure was sent to the Senate floor.

In addition, the committee approved the following bills: S.F. 1032 (Peterson, D.C.) imposing nondiscrimination requirements on certain golf courses; S.F. 1267 (Marty) expanding the school loan program for energy improvements to local governments; S.F. 533 (Gustafson) extending the exemption from property taxes in economic development areas in the city of Hermantown until Jan. 1, 1989; and S.F. 1280 (Vickerman) raising the taxable gross weight of vehicles subject to highway use tax from 33,000 to 55,000 pounds. The measures were sent to the Senate floor.

## Thursday, April 30

### Detached facilities bill approved

A bill increasing the allowable number of detached banking facilities from two to five in Greater Minnesota and increasing the distance— from 25 to 100 miles— a facility may be from the main branch gained preliminary approval from the Senate, Thurs., Apr. 30.

Sen. Allan Spear's (DFL-Mpls.) bill, S.F. 743, provides that an unlimited number of detached facilities are allowable in the metropolitan area if they are acquired through merger. The Senate approved an author's amendment requiring that financial institutions make savings accounts available without a service charge if the minimum balance is maintained at a minimum of \$50. Spear said the policy will allow low cost access to bank services for low-income citizens.

Thirty-five other measures were given preliminary approval Apr. 30. S.F. 631, authored by Sen. Gene Merriam (DFL-Coon Rapids), tightens regulations allowing mobile home park owners to change park rules. Merriam said the measure prevents park owners from implementing "frivolous" rules and gives park renters 10 days in which to comply with any new rules. The Senate approved an author's amendment which deleted a section providing for tenants' right of first refusal in the sale of a mobile home park. H.F. 436, carried by Sen. Majority Leader Roger Moe (DFL-Erskine), mandates minimum standards for seed potatoes planted in lots of 10 acres or more. The provision will help potato farmers eradicate ringrot disease and will help the state's efforts in marketing potatoes internationally, Moe said. The Senate adopted an amendment offered by Sen. Pat Piper (DFL-Austin) changing the effective date from Jan. 1, 1988 to Jan. 1, 1989.

S.F. 928, authored by Merriam, gives patients access to their medical records. Sen. Nancy Brataas (IR-Rochester) voiced strong opposition to the measure, calling it "an injustice to the medical profession." Brataas said physicians should not have to disclose private notes on a patients' medical history. Her amendment to require physicians to provide only a summary of the patients' records was defeated with 26 Senators voting for the amendment and 32 voting against.

S.F. 1084 (Schmitz) allows cities to impose street access charges to be used for street improvements. S.F. 292 (Peterson, D.C.) requires insurance companies to pay up to \$350 for wigs during any benefit year to policy holders with alopecia areata, a disease which causes baldness. S.F. 465 (Vickerman) establishes work zone speed limits. S.F. 911 (Hughes) requires school districts to make instruction in writing and reading Braille available for blind students. S.F. 1081 (Spear) provides that domestic abuse is relevant in the determination of child custody cases. S.F. 1268 (Marty) clarifies provisions relating to energy and economic development. S.F. 100 (Frank) raises campaign contribution disclosure limits. S.F. 69 (Berg) establishes a fish farming program in the state. S.F. 1308 (Marty) designates waterfowl feeding or resting areas. S.F. 1230 (Piper) provides for preservation and interpretation of the state capitol by the Minnesota Historical Society. S.F. 915 (Reichgott) makes certain types of harassment a crime. S.F. 537 (Jude) imposes a mandatory minimum sentence on habitual DWI offenders. S.F. 321

# Committee Capsule

(Merriam) amends DWI and BWI statutes to include controlled substances in the regulations.

Other bills on the General Orders Calendar receiving approval were: H.F. 845 (Frederickson, D.R.) clarifying the procedure and cost for filing foreign judgements; S.F. 1261 (Marty) changing certain provisions of the state building code; S.F. 800 (Wegscheid) authorizing certain charges on open-end loan accounts; S.F. 343 (Jude) authorizing the issuance of limosine license plates; S.F. 802 (Willett) giving the State University Board authority for purchasing equipment and land and authority to review bids and trade state land provided it follows legislative consultation; and S.F. 1204 (Luther) authorizing the state and municipalities to make grants for community dispute resolution programs.

S.F. 1097 (Peterson D.C.) requires courts to issue written orders for conditional release in domestic assault cases and S.F. 785 (Peterson, D.C.) eliminates consent as a defense to the charge of depriving another of parental rights. S.F. 1313 (Adkins) regulates liquor liability assigned risk plans. S.F. 1323 (Marty) conforms various laws to judicial decisions of unconstitutionality. S.F. 646 (Jude) provides for the limitation of actions in the recovery of wages before administrative agencies. S.F. 830 (Pehler) regulates nonrenewals and transfers of franchises and S.F. 1050 (Merriam) expands the manner for creating custodial property under the uniform transfers to minors act.

Local bills receiving preliminary approval were S.F. 1051 (Berg) providing for elections of the Alexandria School Board, S.F. 1184 (Chmielewski) authorizing the conveyance of certain lands in Pine County to the Amherst H. Wilder Foundation, and S.F. 1160 (Chmielewski) providing for exchange of tax-forfeited peat lands in Aitkin County.

A measure providing due process rights for athletic coaches in school districts, S.F. 1012 (Merriam) received approval following addition of a clarifying technical amendment.

Finally, the Senate concurred to amendments made by the House to S.F. 157 (Luther), enacting the uniform statutory rule against perpetuities, gave the bill its third reading and re-passed the measure.

## Friday, May 1

### Senate approves education funding packages

Members of the Senate Fri., May 1, gave final approval to a \$1.6 billion biennial funding package for higher education. The measure, S.F. 1515, authored by Sen. Gene Waldorf (DFL-St. Paul), provides \$153 million for the Higher Education Coordinating Board; \$309 million for the state Area Vocational Technical Institutes; \$272 million for state universities; \$796 million for the University of Minnesota; and \$2 million for the Minnesota Job Skills Partnership Program.

Under the Senate plan, the University would use \$13.3 million in FY 1988 and \$19 million in FY 1989 to implement and develop the Commitment to Focus program. According to Waldorf, Commitment to Focus would be supported by increasing per student instructional costs and by appropriating close to \$21 million from the general fund. An amendment was offered by Sen. Duane Benson (R-Lanesboro), proposing to delete the first year of funding for the Commitment to Focus plan. "If you want to see if we can improve the quality of our flagship institution, then defeat the Benson amendment. We have to let our planning efforts begin," Waldorf told the Senators before taking a roll call vote on the amendment. The Benson amendment was defeated 22-43.

The Senate also granted final passage to the Omnibus Education bill, which provides nearly \$3 billion for elementary and secondary education in the state over the next biennium. According to S.F. 583 sponsor Sen. Randolph Peterson (DFL-Wyoming), the measure simplifies the foundation aid formula by retaining the per pupil unit at \$1,700 in the 1987-1988 school year and by folding the tier, categorical aids, and compensatory education revenue into a new formula in FY 1989, thereby setting the formula allowance at \$2,724 across the state. The plan also requires that all districts levy a mill

rate of 34.8 mills and that each district spend at least two and one-quarter percent of its basic revenue on programs such as arts education and planning, mastery learning, tobacco use prevention, interdistrict cooperation, and chemical abuse prevention.

An amendment offered by Sen. Charles Berg (DFL-Chokio) proposed to eliminate a portion of the \$5 million allocated in the bill to support the School and Resource Center for the Arts. The amendment failed 42-23.

Members of the Senate granted final passage to a number of other bills on the Senate Calendar at the Friday session.

### Semi-states funding bill approved

In addition to granting final passage to the Omnibus Education Aids bill and the Omnibus Higher Education Funding bill, the Senate also granted final passage to the bill funding various semi-state agencies and to the Rural Economic Development bill.

S.F. 1516, carried by Sen. Keith Langseth (DFL-Glyndon) for the Agriculture, Transportation and Semi-states Division of the Finance Committee, is a \$1.96 billion package to fund the Dept. of Agriculture, the Dept. of Transportation and various semi-state agencies such as the Historical Society and the State Arts Board. According to Langseth, the appropriations set forth in the bill do not differ a great deal from the recommendations made in the governor's budget. And, said Langseth, the measure initiates or increases numerous fees to off-set declines in state appropriations. The bill does not, however, include funds for mass transit. In a departure from past years, the funds for mass transit and highways are contained in a separate bill moving through the legislative process.

Debate on the bill focussed on an amendment, offered by Sen. Mel Frederick (R-Owatonna), that would continue the transfer of the motor vehicle excise tax—\$231 million over the biennium—to the highway fund. The governor has recommended that the transfer of the motor vehicle excise tax not take place in order to use the funds to balance the state's general fund budget. The amendment failed on a 27-33 roll call vote. The bill was then approved on a vote of 57-6.

A fourth bill gaining passage on the Special Orders Calendar, S.F. 1, is the Rural Economic Development package sponsored by Majority Leader Roger Moe. Moe, quoting syndicated columnist Neal Pierce, characterized the measure as "an effort to end the long winter in rural America," by targeting economic development aid to specific areas of the state. A key provision of the measure is the formation of the Greater Minnesota Development Corporation as a mechanism to provide grants for applied research at higher education institutions throughout the state. Although the bill was originally designed to direct aid at rural areas of the state, provisions were added that provide \$11 million for neighborhood revitalization in Minneapolis and St. Paul and \$5 million for the Iron Range. The measure also contains \$1 million for a minerals mapping program, \$900,000 for a grant program to improve rural water treatment systems and \$6 million for a challenge grant program for rural business development. The measure was approved on a vote of 47-19.

Two final bills on the Special Orders Calendar also gained final passage. H.F. 26, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for the organization and powers of the state compensation insurance fund by allowing the State Investment Board to provide loans to the fund so that small businesses can obtain insurance. S.F. 317, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for the voluntary consolidations of specific local police and fire relief associations with the Public Employees Police and Fire Fund.

The Senate then resumed consideration of bills on the Calendar and granted final passage to 13 measures. S.F. 1078, authored by Sen. Dennis Frederickson (R-Morgan), requires an addition notice of default on conventional loans under certain circumstances. S.F. 604, authored by Sen. Charles Berg (DFL-Chokio), prohibits individual legislative fundraisers during the legislative session and regulates lobbyists, candidate activities and contributions. S.F. 823, authored by Sen. Sam Solon (DFL-Duluth), authorizes the

# Floor Action

acquisition of banks for operation as detached banking facilities in the city of Duluth and adjacent municipalities. S.F. 461, authored by Sen. Gerald Willet (DFL-Park Rapids), eliminates laws relating to white pine blister rust control and cutting notices. S.F. 385, authored by Sen. Gene Merriam (DFL-Coon Rapids), clarifies and makes technical changes in the game and fish laws. S.F. 1053, sponsored by Sen. Phyllis McQuaid (IR-St. Louis Park), provides for the licensing of low-volume brewers and allows them to be granted an on-sale intoxicating liquor or nonintoxicating malt liquor license.

S.F. 948, authored by Sen. Linda Berglin (DFL-Mpls.), permits evidence showing a tendency to fabricate allegations of sexual assault and requires three days' notice of intent to introduce evidence of the victim's prior sexual conduct. S.F. 605, authored by Sen. Joe Bertram (DFL-Paynesville), establishes the crime of using police radios while committing a criminal act and prescribes felony penalties. S.F. 833, authored by Solon, authorizes the payment of differing amounts of reimbursement to insured under individual policies. S.F. 79, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), revises and updates laws relating to the licensure and regulation of podiatrists. S.F. 578, sponsored by Sen. Ember Reichgott (DFL-New Hope), regulates the organization and operation of business corporations. H.F. 1009, carried by Sen. Steven Novak (DFL-New Brighton), provides for standards for special transportation service. S.F. 1700, Pogemiller, recodifies provisions governing housing and redevelopment authorities.

Finally, Senators granted concurrence and repassage to S.F. 916, providing a permanent partial disability rating for the loss of taste and smell. The measure is sponsored by Sen. William Belanger (IR-Bloomington).

## Monday, May 4

### Health and Human Services bill passed

A \$2.2 billion Health and Human Services spending bill also gained final passage during the Mon., May 4, floor session. According to Sen. Don Samuelson (DFL-Brainerd), chair of the Health and Human Services Division of the Finance Committee, the bill represents a 10.3 percent increase over the last biennium but is \$6.9 million under the governor's budget recommendations. Under the bill, \$11 million in new funding is appropriated for mental health in an attempt to provide for improvements in the state's mental health care system and \$25 million is appropriated to continue the MEED program. Overall, said Samuelson, \$1.868 billion is designated for Human Services, \$697 million is earmarked for Health, \$195 million is appropriated for the Dept. of Corrections and \$99 million is designated for the Dept. Jobs and Training. The bills also includes a number of bills that had been re-referred to the Finance Committee from the Health and Human Services Committee including the omnibus mental health bill, the measure for establishing the office of ombudsman for older Minnesotans and the nursing home therapy services bill.

Debate on the bill centered on an amendment, offered by Sen. Howard Knutson (IR-Burnsville), that would require persons to have a blood test for AIDS before obtaining a marriage license. The amendment failed on an 18-44 roll call vote. A second amendment, offered by Sen. Gene Waldorf (DFL-St. Paul), also generated considerable debate. The amendment, which was adopted on a 31-30 roll call vote, restricts state funding for school based clinics. The bill was approved on a vote of 60-4.

In other action, Senators approved 30 bills on the Senate Calendar and four bills on the Consent Calendar. The bills on the Consent Calendar included: H.F. 1376 (Frederick) directing the sale and conveyance of state-owned lands to the city of Owatonna; H.F. 1355 (Berglin) allowing the city of Minneapolis to establish a non-profit corporation and allowing city council members to serve on the corporation for convention and tourism activities; H.F. 1034 (Spear) repealing the requirement that the Dept. of Public Safety keep a record of all first convictions for the crime of possessing a small amount of marijuana; and H.F. 462 (Bertram) memorializing

the U.S. Congress to maintain the Veteran's Administration system of health care facilities.

H.F. 668 (Berglin) extends the moratorium on hospital capacity expansion. H.F. 1507 (Willet) prohibits the commissioner of natural resources from issuing certain permits or approving certain plans for diversion of water from certain water basins before consultation with state and Canadian officials. H.F. 674 (Berglin) sets forth the circumstances in which a judge may stay the execution of a sentence following the conviction for a second or subsequent offense relating to criminal sexual conduct. H.F. 854 (Frederickson, D.R.) clarifies the procedure and cost for filing foreign judgements. S.F. 800 (Wegscheid) authorizes certain charges on open-end loan account arrangements. S.F. 465 (Vickerman) provides for reduced speeds in work zones, provides for payment of administrative, filing, and plate fees, and restricts the unauthorized use of motor vehicles on public airport property. S.F. 743 (Spear) permits additional detached banking facilities throughout the state.

† S.F. 1084 (Schmitz) authorizes cities to impose a street access charge and provides for its collection. S.F. 292 (Peterson, D.C.) requires coverage for scalp hair prostheses in certain circumstances. S.F. 1184 (Chmielewski) authorizes the conveyance of certain lands in Pine county to the Amherst H. Wilder Foundation. S.F. 1160 (Chmielewski) provides for the exchange of tax-forfeited peat lands in Aitkin County. S.F. 911 (Hughes) requires school districts to make available instruction in Braille reading and writing to blind pupils. H.F. 436 (Moe, R.D.) provides minimum standards for seed potatoes. S.F. 1081 (Spear) provides that evidence of domestic abuse is relevant to determinations of child custody.

S.F. 1204 (Luther) authorizes the state and municipalities to make grants to community dispute resolution programs. S.F. 1097 (Peterson, D.C.) requires courts to issue written orders for conditional release in domestic assault cases and requires arrest on violation of conditions of release. S.F. 1268 (Marty) provides for the powers and duties of the commissioner of energy and economic development and authorizes certain Indian tribes to create community energy councils. S.F. 343 (Jude) authorizes the issuance of limousine license plates and allows limousines to have tinted windows. S.F. 1313 (Adkins) regulates assigned risk plan premiums under the liquor liability assigned risk plan. S.F. 1230 (Piper) provides for the preservation and interpretation of public areas of the state capitol. S.F. 1261 (Marty) changes certain provisions relating to public buildings under the state building code. S.F. 802 (Willet) clarifies that the state university board may consider the qualifications of bidders in capital project awards. S.F. 1308 (Marty) provides for the designation and use of waterfowl feeding or resting areas.

S.F. 1323 (Marty) conforms various laws to judicial decisions of unconstitutionality and suggestions for clarity. S.F. 69 (Berg) establishes a commercial fish raising program. S.F. 915 (Reichgott) amends the trespass law to prohibit harassment on private property, prohibits following and stalking with intent to harass, abuse, or threaten and prohibits intentional harassment by delivering a letter or object. S.F. 785 (Peterson, D.C.) eliminates the consent defense to the charge of depriving another of parental rights. S.F. 830 (Pehler) regulates the non-renewals and transfers of franchises and provides civil liability for unfair practices in relation to franchises. S.F. 446 (Jude) provides for the limitation of actions for the recovery of wages before administrative agencies. S.F. 537 (Jude) imposes mandatory minimum penalties on habitual DWI offenders.

## Tuesday, May 5

### Coaches' right to due process passed

Members of the Senate granted final passage to four bills on the Senate Calendar Tues., May 5. S.F. 1012, authored by Sen. Gene Merriam (DFL-Coon Rapids), requires that an athletic coach who has been terminated or denied license renewal be provided with the opportunity of due process. The measure amends current law by stating that a coach is protected under the grievance provisions of the Public Employee Labor Relations Act.

# Floor Action

S.F. 321, also authored by Merriam, requires that DWI laws are to be applied when a person is under the influence of any substance that affects the nervous system, brain, or muscles and substantially affects the person's ability to drive or operate a motor vehicle.

H.F. 283, sponsored by Sen. Don Frank (DFL-Spring Lake Park), raises campaign contribution disclosure limits and changes methods in which campaign expenditures are calculated.

H.F. 1193, carried by Sen. Charles Berg (DFL-Chokio), allows the school board members of Alexandria School District 206 to be elected by the district at large.

One measure, S.F. 928, authored by Merriam, failed on a 18-24 role call vote. If passed, the bill would have allowed patient access to medical records. While Merriam said that patients should have access to their medical records, Sen. Nancy Brataas (R-Rochester) said that the legislation would be detrimental to the Mayo Clinic's practice by "destroying its consulting relationships."

Working off of the General Orders Calendar, the members gave preliminary approval to a number of bills. S.F. 489, authored by Sen. Bob Lessard (DFL-Int'l Falls), gives the Minnesota Municipal Board the authority to administer annexation proceedings between the city of Nashwauk and the town of Nashwauk for non-abutting land.

S.F. 1057, sponsored by Sen. Pat Piper (DFL-Austin), requires that the University of Minnesota conduct a study on the feasibility of using alternative methods of animal testing. S.F. 1223, authored by Sen. Allan Spear (DFL-Mpls.), establishes a commission for the quinquennial for the Hispanic presence in the western hemisphere. S.F. 175, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), mandates that health care maintenance organizations disclose any exclusions or limitations on health care coverage in their marketing materials. S.F. 577, authored by Sen. Ember Reichgott (DFL-New Hope), regulates mergers and exchanges between business corporations.

The Senate also concurred to the House amendments to S.F. 420 and S.F. 296 and repassed the bills. S.F. 420, authored by Sen. Donna Peterson (DFL-Mpls.), allows peace officers under the authority of the Metropolitan Transit Commission to make arrests within the metropolitan area. S.F. 296, also authored by Peterson, permits political subdivisions to choose between either state or federal relocation benefit programs.

## Pipeline bill gains preliminary okay

A bill strengthening pipeline safety measures was granted preliminary passage by the full Senate Tuesday evening. The bill, S.F. 90, sponsored by Sen. Steven Novak (DFL-New Brighton), establishes procedures to be followed by governmental units and pipeline companies that are designed to curtail and combat pipeline emergencies.

The measure creates an office of pipeline safety, which would maintain a data base on pipeline releases and coordinate emergency responses. Pipeline operators are required to file maps of the pipeline systems with the office, the Dept. of Transportation and local governments. The operators also would file emergency response plans with the office and sheriffs in the counties being crossed by the pipelines. And, local governments would have to prepare emergency response plans.

The size of the Minnesota Zoo Board would increase from 15 to 30 members, under another measure given preliminary approval Wednesday evening. Sponsored by Sen. Bob Lessard (DFL-Int'l Falls), the bill, S.F. 167, requires that one member be appointed by the Dakato County Board and that the governor initially appoint the others. After the governor's initial appointment, members would then be appointed by the board. The bill further exempts board members from filing a statement of economic interest with the Ethical Practices Board.

The Senate gave final passage to a measure licensing home health care agencies. S.F. 51, sponsored by Sen. Linda Berglin (DFL-Mpls.), includes licensing of agencies providing services such as nursing, speech and physical therapy, nutritional consulting and hospice care. The proposal also requires information concerning agency personnel's prior criminal convictions to be disclosed.

Another bill given preliminary approval assesses utility companies 60 percent of the PCA costs for "achieving, maintaining and monitoring compliance" with acid rain control standards. According to Sen. Gregory Dahl (DFL-Lino Lakes), sponsor of the bill, S.F. 865, 60 percent of Minnesota's contribution to the state's acid rain problem is due to sulfur dioxide omissions from state utility companies. The assessment is determined according to the utility's amount of annual kilowatt per hour sales.

Another measure given preliminary passage Tuesday establishes a community-wide high school drug assessment team to address drug abuse problems. The bill, S.F. 300, carried by Sen. Richard Cohen (DFL-St. Paul), also requires school officials to report information concerning drug possession by students as well as use and sales.

The Senate gave the initial okay to a bill clarifying that the Dept. of Health has the authority to take action against a person who is a carrier of a communicable disease engaged in non-compliant behavior that causes health threat to others. The bill requires the department to take the least restrictive action, but states that the courts may order an individual to be committed to an appropriate facility. The measure, S.F. 1048, carried by Lantry, also makes housekeeping changes to laws governing the health department.

Other bills gaining preliminary approval Tuesday include: S.F. 1099 (Lessard) waiving indirect or administrative costs being billed to other states and Canadian provinces for forest fighting services; S.F. 973 (Merriam) making technical changes to the law requiring certain penalties to pay for conservation officer training; S.F. 449 (Stumpf) requiring cabooses to be attached to trains over 2,000 feet and travelling on unblocked tracks as well as trains carrying hazardous materials; S.F. 377 (Marty) changing the name of the Council on Handicapped to the Council on Disability; S.F. 855 (Berglin) establishing a procedure for dividing pension benefits for divorce settlements; S.F. 506 (Morse) giving the Minnesota Housing Finance Agency the authority to administer the low-income housing credit program.

Included in the list of bills gaining preliminary passage are: S.F. 1044 (Dahl) allowing two school districts to enter into a cooperative agreement by combining instruction services; S.F. 1272 (Wegscheid) adding to the requirements governing the open meeting law; S.F. 555 (Brandl) prohibiting the use of faradic shock unless authorized by court order; S.F. 971 (Pogemiller) enacting municipal financing provisions; S.F. 703 (Pogemiller) requiring private detectives to be licensed; S.F. 281 (Marty) abolishing authority to appoint individuals or corporations as deputy registrars, unless the individuals are acting on behalf of a non-profit organization.

## Wednesday, May 6

### Caboose bill gains

The Senate began a 10 hour session at nine a.m., Wed., May 6, and dealt with bills on the Consent, Senate, Special Orders and General Orders Calendars.

Final approval was given to a Consent Calendar item, H.F. 1629 (Merriam), exempting Anoka County from filing a notice on the deadline for a solid waste project, and final passage was granted to 22 bills on the Senate Calendar.

S.F. 449, authored by Sen. LeRoy Stumpf (DFL-Plummer) requires freight trains 2,000 feet or longer to have an occupied caboose. Stumpf said the requirement will curb train accidents, especially important when the trains are transporting hazardous materials. But, when stating his opposition to the bill, Sen. Charles Berg (DFL-Chokio) said the requirement will hurt people dependant on railways for moving their agricultural products. Requiring railways to provide and maintain cabooses will result in added costs to railway users, Berg said. The measure was approved on a 46-21 vote.

A measure preventing county auditors from selling their public appointments, S.F.281, authored by Sen. John Marty (DFL-Roseville), was approved on a 43-21 vote. The measure abolishes appointments of any persons not acting on behalf of non-profit corporations to deputy registrar positions and requires county auditors or directors of county license bureaus to operate and

maintain registration and motor vehicle tax collection bureaus in county seats. Sen. Mel Frederick (R-Owatonna) opposed the measure saying the bill will take away the livelihoods of several people currently in registrar positions.

S.F. 1057, authored by Sen. Pat Piper (DFL-Austin) requires the University of Minnesota to study alternative methods for animal testing. The bill specifically addresses the desire to find more humane methods for performing toxicity tests on animals, Piper said.

Other bills receiving final passage included: S.F. 607 (Bertram) authorizing peace officers to inspect for regulated tires; S.F. 973 (Merriam) providing money for conservation officer training; S.F. 703 (Pogemiller) providing for the licensure of private detectives and protective agents; S.F. 1099 (Lessard) waiving indirect cost billings to the federal government and other states and provinces for fire fighting; S.F. 167 (Lessard) increasing the size of the Minnesota Zoological Board; S.F. 377 (Marty) changing the name of the Council for the Handicapped; S.F. 1223 (Spear) creating a commission for the quincennial of the Hispanic presence in the western world; S.F. 1272 (Wegscheid) requiring certain notices of public meetings; H.F. 489 (Lessard) authorizing annexation proceedings for lands between the city of Nashwauk and the town of Nashwauk; S.F. 971 (Pogemiller) modifying and extending means of financing operations of local government and certain non-profit institutions; S.F. 90 (Novak) creating the Office of Pipeline Safety and providing for its powers and duties and requiring a routing permit to construct a new pipeline; S.F. 577 (Reichgott) regulating the mergers and exchanges by business corporations; S.F. 1048 (Lantry) regulating various health related boards and restructuring the commissioner of health's authority to control activities of communicable disease carriers; S.F. 175 (Pogemiller) requiring disclosure of certain exclusions and limitations on health maintenance organization coverage; S.F. 555 (Brandl) prohibiting the use of faradic shock in certain facilities; S.F. 300 (Cohen) establishing chemical abuse pre-assessment teams and community advisory teams; S.F. 865 (Dahl) authorizing an assessment against public utilities to finance the state costs of controlling acid disposition; and S.F. 1044 (Dahl) providing for combined seniority lists of teachers in districts entering into agreements with secondary education institutions.

Several bills designated as Special Orders also gained final approval. A compilation of several bills relating to pensions contained in H.F. 1159, carried by Sen. Darril Wegscheid (DFL-Apple Valley), addresses local pension issues, limits the uses of pension plan assets and modifies various statewide public safety pension plan provisions.

Sen. Marilyn Lantry (DFL-St. Paul) successfully amended a section of the bill relating to St. Paul Ramsey Hospital despite the author's objection to the amendment. The amendment, approved on a 50-16 roll call vote, provides that employees currently enrolled in the PERA pension plan must stay with the organization but that new employees will have an option to choose among available retirement plans. Lantry's concern was that if employees changed from PERA to another plan, there could be as much as \$11 million in liability for PERA. Wegscheid's objection centered on a concern that current hospital employees will not be permitted an option for enrollment in the future.

Another amendment to the bill, offered by Sen. Earl Renneke (R-LeSueur), which would have deleted sections relating to volunteer fire fighters, failed with 43 Senators voting against the amendment and 21 voting for it.

Other Special Orders bills given approval were the following. S.F. 1331 (Dahl) provides for refunds of automobile excise taxes to manufacturers in lemon car cases. H.F. 217 (Knaak) allows police departments and sheriffs' offices to continue using specially marked vehicles for traffic enforcement. H.F. 816 (Jude) requires county courts to furnish information relating to previous driving convictions to county attorneys. H.F. 1170 (Jude) prohibits certain mandated leaves of absence for state employees. H.F. 487 (Novak) regulates membership camping practices and defines how maintenance fees may be used by park managers. H.F. 1031 (Jude) defines the priority of mechanic, engineering, surveying and other liens on property. S.F. 1041 (Samuelson) provides for a local public health

act and defines the powers and duties of boards of health. S.F. 853 (Cohen) establishes the "McGruff" symbol as the sign for a safe house for children and establishes a safe house program. H.F. 1145 (Jude) memorializes the President and Congress to award posthumous Medals of Freedom to Andrew Goodman, Michael Schwerner and James Chaney.

## Bill relating to crime victims passed

Other bills receiving final passage at the Wednesday session included a measure allowing crime victims the option of either appearing before the court or submitting a written impact report to the court at the time of sentencing. Sen. Allan Spear (DFL-Mpls.) attempted to amend S.F. 232, authored by Sen. Richard Cohen (DFL-St. Paul), by removing the oral elocution provision of the measure. Spear argued for the adoption of the amendment saying that "we have to draw the line of bringing the victim back into the court. The prosecution of the crime is for the criminal, not the victim." Cohen said that "by allowing the victim to testify in court, the criminal is confronted with the seriousness of the crime, the presiding judge has the opportunity to study the nature of the crime, and the victim has the opportunity of participating in the system." The amendment failed on a 14-40 roll call vote and the bill was granted final passage.

S.F. 236, authored by Sen. Gene Waldorf (DFL-St. Paul), prohibits the distribution and exhibition of obscene materials and performances. An amendment, offered by Spear, would have altered a provision of the measure penalizing subordinates of an owner or seller distributing the obscene materials. Waldorf opposed the amendment saying that "anyone who knowingly cooperates is guilty." The amendment was not adopted.

S.F. 555, sponsored by Sen. Tad Jude (DFL-Maple Grove), extends the penalty of giving a police officer a false name to a misdemeanor. S.F. 735, authored by Sen. Betty Adkins (DFL-St. Michael), provides for a statewide interpreter service center for the hearing impaired and makes a number of housekeeping and changes. The measure also requires that regional service centers assist central interpreter referral agencies with local and regional interpreter referrals and develop a plan to provide resource equipment and materials to hearing impaired persons.

S.F. 314, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), requires that the State Board of Investments adopt an investment policy statement, broaden foreign security investments, and increase board flexibility.

H.F. 721, carried by Sen. Linda Berglin (DFL-Mpls.), provides for the recovery of medical assistance overpayments and requires that an escrow account be set up when an owner of a nursing or mentally retarded home decides to sell the facility. H.F. 432, sponsored by Sen. James Pehler (DFL-St. Cloud), modifies provisions of the compulsory attendance laws and establishes compulsory attendance requirements relating to curriculum and instruction. The bill requires that evaluation reports be submitted to superintendents and the Legislature periodically.

S.F. 776, authored by Sen. Gary DeCramer (DFL-Ghent), creates a State Board of Water and Soil Resources and abolishes the State Soil and Water Conservation Board and the Water Resources Board. According to DeCramer, the new board will consist of 12 members: three from the Soil and Water Conservation; three appointed by the county commissioner; three from watershed districts; three unaffiliated citizens; and four soil and water supervisors, appointed until December 31, 1989.

S.F. 1232, authored by Sen. Sam Solon (DFL-Duluth), provides regulation exceptions for steam turbines that receive steam from remote municipal facilities.

## Bills designated Special Orders

The latter part of the Wednesday session was devoted to action on numerous non-controversial bills that had been designated Special Orders. Bills on the Special Orders Calendar are given a second and third reading and voted upon for final passage. Bills on the Special Orders Calendar may be amended on the floor prior to the final vote. In this case, the bills were designated Special Orders because of the large numbers of bills on the General Orders Calendar that must be processed.

S.F. 641 (Chmielewski) regulates workers' compensation insurance premium computations for certain public employees. H.F. 656 (Kroening) regulates high pressure piping and pipefitters and provides penalties. H.F. 466 (Kroening) clarifies conditions for unregulated sales of eyeglasses. H.F. 450 (Reichgott) provides for the advertisement of interest rates of investment products. H.F. 270 (Piper) provides for the notice of an adopted child or genetic parent's death. H.F. 1371 (Novak) specifies the locations for holding court in Ramsey County and provides for two suburban courts and the downtown St. Paul court.

H.F. 755 (Metzen) authorizes municipalities in the metropolitan area to adopt ordinances related to aircraft noise. H.F. 1185 (Frederickson, D.R.) clarifies that school boards may not transfer funds from debt reduction funds. H.F. 1263 (Davis) extends the period for which the commissioner of administration may lease state property. H.F. 799 (Lessard) permits Koochiching to establish a bidstead development authority. H.F. 502 (Vickerman) allows counties to charge fees for services and provides for the conditions for emergency contracts. H.F. 304 (Renneke) allows elk to be bred on game farms. H.F. 923 (Vickerman) regulates budgets and procedures of local human service boards. H.F. 630 (Brandl) allows health maintenance organizations to adjust premiums based on actual health services utilization.

H.F. 142 (Belanger) permits limited licenses to be issued to homemakers. H.F. 1230 (Adkins) clarifies the authority of school districts to self-insure for property and casualty coverage. H.F. 294 (Solon) authorizes counties to issue temporary on-sale liquor

licenses. H.F. 470 (Spear) eliminates the requirement that a husband's consent to donor insemination be filed with the commissioner of health. H.F. 427 (Spear) provides that violation of local DWI ordinances is counted for purposes of driver's license revocations and provides that courts must report juvenile traffic violations to the Dept. of Public Safety. H.F. 318 (Spear) creates the crime of criminal sexual conduct by impersonating a health care professional. H.F. 580 (Spear) changes certain provisions of the human rights act relating to requirements for employment of disabled persons.

H.F. 692 (Cohen) provides for access to the criminal justice data communications network and defines purposes for use of the data. H.F. 170 (Belanger) allows ammunition manufacturers to possess machine guns for ammunition testing purposes and permits licensed dealers and manufacturers to own or possess machine guns and short-barreled shotguns. H.F. 609 (Cohen) gives the Dept. of Energy and Economic Development access to certain employment data. H.F. 286 (Jude) removes the presumption of incompetency of witnesses under the age of 10. H.F. 706 (Cohen) clarifies recent changes in the juvenile court act, clarifies the hearing and records procedure of the juvenile court and conforms laws relating to the juvenile court to adult court laws. H.F. 941 (Spear) prohibits the killing or injuring or a police dog involved in law enforcement investigation or apprehension and prescribes penalties.

Finally, the Senate confirmed the appointments of Douglas R. Ewald, Martin J. McGowan, and Judith Gilbert Schotzko to the Ethical Practices Board.

## The Minnesota Senate Week at a Glance

Monday, May 11, 1987

**Education Committee, Chair: James Pehler**  
8:30 AM Basement hearing room of the SOB

**Agenda:** Confirmations of appointments to: State Board of Vocational Technical Education, Community College Board, Council on Quality Education, Higher Education Facilities Authority, and the State Board of Education.

**Environment and Natural Resources Committee, Chair: Gerald Willet**

11:00 AM Room 112 Capitol

**Agenda:** Confirmations of appointments to: Waste Management Board, Water Resources Board, Pollution Control Agency, and the Department of Natural Resources, Commissioner.

Tuesday, May 12, 1987

**Legislative Commission of Pensions and Retirement, Chair: Rep. Simoneau**

8:30 AM Basement hearing room of the SOB

**Agenda:** Reports from: Commission Actuary, Fund Administrators, and the Executive Director of the State Board of Investment. H.F. 940-S.F. 855-Berglin: Pension rights as marital property in a marriage dissolution. H.F. 1096-S.F. 317-Wegscheid: Police and paid fire voluntary consolidation into PERA-P&F. Extension of actuarial contract with the Wyatt Company.

The omnibus tax bill will be in conference committee during the week. All the omnibus spending bills conference committees will be meeting throughout the week. The Senate will be in session daily.

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# Briefly

## The Minnesota Senate Week in Review May 15, 1987

### State departments bill to conference

A \$1.2 billion spending bill that funds the various state departments and agencies passed the Senate Friday, May 8, and was referred to a conference committee. Bill sponsor Sen. Carl Kroening (DFL-Mpls.), said the measure appropriates about \$950 million from the state's general fund and largely meets the total amount recommended by the governor.

The Senate plan adds 21 new judgeships to the state's court systems and appropriates about \$37 million for state employee pay raises of 2.5 percent. In addition, the bill endorses the compensation council's recommendations for salary increases for judges, constitutional officers and legislators.

The governor's spending recommendation for the Dept. of Energy and Economic Development is reduced \$8 million, and the Dept. of Revenue would receive \$7 million less in funding increases. However, the Senate Finance Division on State Departments, the panel responsible for constructing the bill, added more funds to the Minnesota Zoo than the governor recommended.

Also under the Senate plan, the Attorney General's Office would receive 14 new positions, and appellate court judges would no longer be required to issue written opinions on each decision. Both changes are intended to reduce the workloads of the respective offices.

The governor further recommended the elimination of the Legislative Commission on Minnesota Resources, but the Senate bill maintains the commission's efforts with an \$8 million biennial appropriation.

Before the state departments spending plan is initiated into law, Senate and House conferees will have to resolve differences in the two proposals.

### Senate reduces parimutuel tax

A bill the author said would aid the horse racing industry in Minnesota passed the Senate Tuesday, May 12, and was sent to the House, where a similar bill was defeated in committee earlier this year. The measure, S.F. 724, reduces the amount of parimutuel tax Canterbury Downs pays by \$5 million over the 1987 and 1988 racing seasons, and it raises the amount that must be set aside for purses.

Bill sponsor Sen. Robert Schmitz (DFL-Jordan), said the current parimutuel tax is among the highest in the nation, and that his proposal would be "revenue productive." The tax break would boost the industry, attract more horse owners, and create additional jobs, he claimed. According to Schmitz, the \$5 million tax cut could bring in between \$7 and \$12 million in additional state revenue.

Opponents to the bill argued that the racing industry would survive without the tax break. "What does a normal business do when they expand and lose money?" Sen. Allan Spear (DFL-Mpls.) asked Senate members. "They retrench. They cut their losses. That's what Canterbury Downs should be doing now," he added. Spear further argued that the tax cut should not be offered "in a year that we don't have money to do the essential things that people need."

Before passing the bill, proponents rejected efforts to reduce the size of the tax break while still increasing the size of the purses. The measure, which passed 38-26, must still gain House approval.

### Bonding bill gains final passage

A bonding bill totaling nearly \$450 million, which includes about \$50 million for highway and bridge improvements, passed the

Senate Tuesday, May 12, on a 16 vote. Most of the money from the sales of bonds, about \$147 million, is designated for building projects at state post-secondary institutions.

Under the bill, carried by Sen. Michael Freeman (DFL-Richfield), state AVTI's would receive about \$31 million of the total amount; community colleges, \$36.4 million; state universities, \$40.5 million; and the University of Minnesota, \$39.2 million. Money would largely be used for building improvements and repair.

The proposal includes \$40.7 million for a new State History Center to be constructed near the Capitol, and \$32 million is authorized for construction of the proposed Judicial Building. Other money is provided for restoration of the Capitol building and landscaping of the mall.

About \$20 million would finance efforts under the Reinvest in Minnesota (RIM) program, and \$34 million would aid development of Metropolitan Regional Parks and recreational facilities in greater Minnesota. Over \$61 million is authorized for waste water treatment programs, and \$16.5 million of the amount is aimed at addressing the combined sewer overflow problem in the metro area.

To help improve the state's correctional buildings and medical facilities, the bill authorizes \$10.7 million.

In the area of economic development, the bill provides about \$18 million. Included in the amount is \$12 million for a track and field complex in Blaine and \$3 million for financing an outdoor recreational grants program.

Traditionally, the Legislature has considered bonding proposals during non-budgeting sessions. Some members of the Senate claimed that the bill was hastily prepared and action should be delayed another year. However, Freeman argued that the Legislature should act promptly to take advantage of present interest rates. In total, the Senate bill falls short of the governor's \$700 million bonding recommendations. Freeman explained that any bonding in excess of the Senate proposal would fail to gain sufficient support for passage.

After winning final approval, the bill was laid on the table until House completes action on their bonding proposal.

### Amended parental leave bill passes

The Senate granted final passage to a greatly modified parental leave bill Wednesday, May 13. Senator Donna Peterson's measure, H.F. 234, will be compared with the House version of the bill in the remaining days of the session.

The Senate bill currently mandates six weeks of maternal leave for women employed at firms with 40 or more workers. The unpaid leave must be provided to mothers at the time of birth or adoption of a child. The leave is restricted to women who have worked at least 18 months at the employing firm.

A controversial provision of the measure, allowing parents to use their sick leave to care for a sick child, was amended out of the bill by Senate Minority Leader Duane Benson (IR-Lanesboro) on a 32-31 vote but, following lengthy discussion, was reinserted in the bill. Senator Ember Reichgott's amendment, approved on a 32-26 vote, provides that employees may use 10 days of sick leave per year to care for an ill minor or dependant child.

Peterson maintained that not all employers voluntarily let their workers use sick leave to care for sick children. With the large number of households with two working parents, one parent must be free to care for a sick child without having their pay docked, she said.

# Floor Action

## Consolidation of constitutional offices approved

The full Senate gave final passage to a bill combining the offices of state auditor, state treasurer, and secretary of state into one office of state comptroller. S.F. 81, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), would allow the voters to make the final decision on consolidation in 1988. If the combination of offices passes as a constitutional amendment question, the new office would be established in 1990. Sen. Fritz Knaak (IR-White Bear Lake) questioned the necessity of the offices and asked if the duties be couldn't be distributed to another agency. Pogemiller stated that the voters need the accountability that comes only with an elected official. Pogemiller further argued that by combining the offices the state would save an estimated \$200,000 per year. Sen. Gary Laidig (IR-Stillwater) proposed an amendment to reinstate the office of secretary of state to prevent the creation of too powerful an office. The amendment failed on a 19-30 vote. The bill was then approved on a 42-15 roll call vote.

## Thursday, May 7

### Hunting and fishing license fees increased

The Senate debated raising hunting and fishing license fees on Thurs., May 7. S.F. 1056 authored by Sen. Charles Berg (DFL-Chokio), increases fees \$2.00 to \$5.00 and eliminates free fishing for senior citizens by implementing a \$3.50 charge. Sen. James Ramstad (IR-Minnetonka) tried to amend the bill by deleting the senior citizen fee but the amendment failed. Another amendment, proposed by Sen. Gregory Dahl (DFL-Coon Rapids), would keep the \$3.50 charge but would allow any senior citizen to request a refund if the price was a hardship. This, too, was defeated. Sen. Steven Morse (DFL-Dakota) offered an amendment keeping the deer license at its present rate because, he said the deer cause serious damage to crops in his area. Morse's amendment failed and the bill was given final passage.

Among the other bills given final passage was H.F. 1495, authored by Sen. Don Samuelson (DFL-Brainerd). The measure gives the city of Little Falls permission to issue an on-sale intoxicating liquor license. H.F. 904 authored by Sen. Pat Piper (DFL-Austin) relates to human services and nursing home care. Under the bill, when a private pay resident who has not yet been screened is admitted to a nursing home or boarding care facility, the nursing home must notify the resident and the resident's spouse that the federal Medicare hospital insurance benefits program covers post-hospital extended care services in a qualified skilled nursing facility for up to 100 days and that there are several limitations on this benefit. This notice may be included in the nursing home's admission agreement and must clearly explain what resources the resident and spouse may retain if the resident applies for medical assistance.

Three bills authored by Sen. Douglas Johnson (DFL-Cook) passed with little or no debate. H.F. 947 authorizes the sale of certain tax forfeited land in St. Louis County. H.F. 1521 provides the Lake County housing and redevelopment authority with port authority powers. H.F. 1412 authorizes the sale of certain tax-forfeited land in Lake County to the city of Two Harbors and sets the timing for the 1987 sales of lakeshore lots.

H.F. 1200 authored by Sen. Michael Freeman (DFL-Richfield) defines commission salesperson as an "employee" to clarify certain purposes of the law. "Employee" means an individual who is employed by an employer and who resides or works in this state, according to the bill.

Sen. LeRoy Stumpf (DFL-Plumer) authored four bills that gained through final approval. H.F. 1590 gives school boards the authority to appoint the directors of area vocational technical institutes. H.F. 230 authorizes the combination of certain municipalities for election purposes. H.F. 575 is a resolution memorializing the President and Congress to immediately direct the Farmers Home Administration to participate in and cooperate with the Farmer-

Lender Mediation Program in the state of Minnesota. H.F. 836 revises the boundary of the Lost River Forest.

## Child abuse reporting bill passes

Members of the Senate also gave final approval to a measure relating to child abuse reporting laws. H.F. 806, sponsored by Sen. Ember Reichgott (DFL-New Hope) modifies a variety of provisions to the laws and requires that written reports of abuse cases be submitted within 72 hours of the incident, that county attorneys be on child protection teams, and that local law enforcement agencies and welfare agencies coordinate sexual or physical abuse investigations.

Three other bills received final approval during the Thursday afternoon session. H.F. 1204, sponsored by Sen. William Luther (DFL-Brooklyn Park), relates to the management of county health facilities and allows county boards to hold closed meetings when discussing medical center business.

H.F. 806, carried by Sen. Don Samuelson (DFL-Brainerd), re-enacts amendments to the Dram Shop Act that were inadvertently nullified by the Court of Appeals in 1985. One change in the bill provides for the victim's right to sue a liquor vendor.

H.F. 909, sponsored by Sen. Charles Berg (DFL-Chokio), provides for the immunity from liability for the Dept. of Natural Resources for injuries resulting from the weakening of ice due to lake aeration. The bill also changes posting and publication notice requirements for aeration operations.

## Phone deregulation bill gains

The evening portion of the Thursday Senate Session, was devoted to discussion and action of bills on the General Orders Calendar. Eighteen measures were granted preliminary approval. A bill that had originally been controversial, dealing with telephone deregulation, gained preliminary passage with little debate. The measure, S.F. 677, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), establishes three stages of deregulation and requires the Public Utilities Commission to determine which telephone services are competitive or in a state of emerging competition. Phone services that are noncompetitive will remain under PUC regulation. The bill lists specific services that are to be included in the emerging competition category and requires a study to determine whether low income persons should receive financial assistance to pay for telephone service.

A bill prohibiting bicyclist from wearing headphones generated considerable debate before failing to gain preliminary approval. H.F. 269, sponsored by Sen. Don Frank (DFL-Spring Lake Park), was ultimately stricken from the General Orders Calendar and returned to committee.

H.F. 1141, authored by Sen. Gene Merriam (DFL-Coon Rapids), permits the city of Champlain to use unexpended public improvement funds for a low-income special assessment grant program. H.F. 1420, carried by Sen. Earl Renneke (IR-LeSueur), allows the Bureau of Criminal Apprehension to permit amateur radio operators to use radio equipment capable of receiving the police emergency radio frequency. H.F. 1421, sponsored by Sen. William Luther (DFL-Brooklyn Park), regulates the formation and operation of insurance company risk retention groups.

H.F. 924, authored by Sen. John Marty (DFL-Roseville), removes the Minnesota correctional industries from state competitive bidding requirements. H.F. 809, sponsored by Marty, changes the specifications for arrowheads used for big game hunting. H.F. 332, also carried by Marty, authorizes the Pollution Control Agency to issue administrative orders assessing penalties, establishes a hearing procedure and provides for the distribution and expenditure of monetary penalties for hazardous waste violations.

H.F. 357, carried by Sen. Marilyn Lantry (DFL-St. Paul), permits the city of St. Paul to adopt certain regulations for smoke detection devices. H.F. 653, sponsored by Sen. Charles Berg (DFL-Chokio), regulates the use of lights in taking or in tending traps, sets the

length of the otter season and regulates the setting of traps near water. H.F. 102, carried by Sen. Gary Laidig (IR-Stillwater), provides for the use of mechanical release bows during archery seasons. H.F. 96, sponsored by Sen. Richard Cohen (DFL-St. Paul), requires the state high school league to arrange certain conference memberships and provides standards.

H.F. 1416, sponsored by Sen. Donna Peterson (DFL-Mpls.), provides for the appointment of the director of the office of emergency preparedness in the city of Minneapolis. H.F. 1444, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), provides procedures for township organization and dissolution. S.F. 634, authored by Sen. Duane Benson (IR-Lanesboro), permits seven characters on personalized license plates. H.F. 1120, sponsored by Sen. David Frederickson (DFL-Murdock), describes standards for grain grading and testing and provides that state grades and test results may be the basis for market price. S.F. 852, authored by Sen. James Metzen (DFL-South St. Paul), exempts propane fuel used for motor vehicles operating under permit from the gasoline excise tax. H.F. 1213, carried by Sen. Donald Moe (DFL-St. Paul), makes various changes in laws governing teachers retirement association for the purpose of facilitating administration of retirement benefits and contributions.

Senators also granted concurrence and repassage to two additional measures. S.F. 1308, authored by Marty, designates waterfowl feeding and resting areas. S.F. 948, authored by Sen. Linda Berglin (DFL-Mpls.), permits evidence showing a tendency to fabricate allegations of sexual assault and requires three days notice of intent to introduce evidence of victim's prior sexual conduct in criminal sexual conduct proceedings.

## Friday, May 8

### Drainage law update approved

In addition to taking action on the omnibus state departments spending bill, the Senate also granted final passage, with one exception, to the bills given preliminary approval the night before and began consideration of several bills on the Special Orders Calendar. The exception, H.F. 102, providing for the use of mechanical release bows, was delayed at the request of sponsor Sen. Gary Laidig (IR-Stillwater).

One of the major bills gaining the Senate's approval, H.F. 1078, is a massive recodification and update of the drainage laws. The bill, sponsored by Sen. Gary DeCramer (DFL-Ghent), amends definitions, prescribes general provisions for petitions, amends the petition requirements, prescribes the conditions for assessments against property within a municipality, provides for the recording of drainage liens against tracts of property, authorizes the conditions for repair if the design elevations is different than the original construction elevation, apportions repair costs and provides penalties.

Other bills gaining final passage included: H.F. 867 (Freeman) authorizing the levy of special assessments for highway sound barriers; H.F. 569 (Stumpf) authorizing the acceptance of tips by food service and room cleaning employees at Itasca state park and authorizing additions to and deletions from state parks and waysides and authorizing the sale of wine by the drink at Douglas Lodge in Itasca state park; H.F. 1524 (Berglin) setting forth an appeal procedure for recipients of case management services; and H.F. 196 (Dahl) requiring manufactured home park owners to provide shelter for residents during severe weather.

The Senate also granted concurrence and repassage to S.F. 1097, authored by Sen. Donna Peterson (DFL-Mpls.), requiring courts to issue written orders for conditional release and providing for notice to alleged victims of conditions or release.

## Saturday, May 9

### Bill extends criminal sexual conduct

A bill creating a new crime of criminal sexual conduct in the fifth degree earned the Senate's preliminary approval Saturday, May 9. Under the measure, S.F. 1018, carried by Sen. Donna Peterson

(DFL-Mpls.), the crime would consist of nonconsensual sexual contact and have a penalty of up to \$3,000 and a year in prison.

Before approving the bill, the Senate okayed an amendment, offered by Sen. Allan Spear (DFL-Mpls.), excluding "patting on the buttocks" from the definitions of the proposed law.

Other bills given preliminary approval Saturday include: H.F. 889 (Lessard) establishing notice conditions for town road contracts; H.F. 948 (Moe, D.M.) making housekeeping changes in the laws regulating state job eligibility lists and personnel practices; H.F. 638 (Dicklich) requiring election judges to inform voters of laws providing for selection of a party in primary elections; H.F. 564 (Peterson, D.C.) asking the Federal Energy Regulatory Commission not to approve installation of additional hydropower generating facilities at St. Anthony Falls, Mpls.; H.F. 624 (Peterson, R.W.) making changes in law relating to conciliation court entry of judgements;

H.F. 1071 (Peterson, D.C.) clarifying the definition of "mentally incapacitated" and "coercion" in the criminal sexual conduct laws; S.F. 361 (Freeman) permitting employees to donate vacation time to a union representative; H.F. 1034 (Luther) regulating cancellations of insurance agency contracts; S.F. 1335 (Kroening) limiting recovery of unemployment compensation overpayments due to agency error and limiting the amount of offset from current benefit amounts; and H.F. 384 (Spear) increasing the fine for petty misdemeanors from \$100 to \$200, placing check forgery and credit card fraud under the theft statutes, and creating a gross misdemeanor crime of damage to property.

### Rule of 90 debated

The latter half of the Saturday, May 9, floor session was devoted to discussion of an amendment that would institute the "rule of 90" in public pensions. The bill under discussion, S.F. 980, authored by Sen. Don Moe (DFL-St. Paul), clarifies and revises the obligations, responsibilities and liabilities of public pension plan fiduciaries. However, an amendment, offered by Sen. Betty Adkins (DFL-St. Michael), that would allow public employees to retire with full benefits if the sum of their age and their years of employment totaled 90, generated heated debate.

Adkins argued that the few employees who would qualify deserve the early retirement. Moe, on the other hand countered that the "rule of 90" would be inherently unfair because it would give a windfall to just a few persons, create problems for the pensions funds and discriminate against women public employees. The amendment was approved but Moe delayed action on the bill by asking that it be progressed.

In other action, Senators granted preliminary approval to a number of other measures. S.F. 247, authored by Sen. Donna Peterson (DFL-Mpls.), makes several changes to election laws, sets forth fair campaign practices and prescribes penalties. H.F. 1563, sponsored by Sen. Steve Morse (DFL-Dakota) provides for smoke detector maintenance, provides that a local governing body may appoint a local board of appeal for orders issued under the state fire code and prescribes penalties. H.F. 1515, also carried by Morse, deals with resignations from public office and fixes resignation effective dates, prohibits contingent resignations and permits the submission and withdrawal of prospective resignations in specific circumstances. H.F. 822, sponsored by Sen. William Luther (DFL-Brooklyn Park), requires that credit card applications contain specific disclosures about interest rates and annual fees. H.F. 1622, carried by Sen. Richard Cohen (DFL-St. Paul), provides for court of appeals and crime victim representation on the sentencing guidelines commission, clarifies the membership on judicial appeal panels, permits retired judges to solemnize marriages, authorizes the supreme court to adopt court rules and clarifies judicial representation on the judicial standards board.

## Monday, May 11

### Senate approves mechanical release bows

A bill allowing the use of mechanical release bows during the archery season in Minnesota received final approval by members of

# Floor Action

the Senate Mon., May 11. H.F. 102 sponsor Sen. Gary Laidig, told the full Senate that 44 other states in the country are allowed to use the mechanical release aid and that the change "would not impact game population or the length of the season in Minnesota." The bill passed on a roll call vote of 39-24.

Members gave preliminary approval to a number of bills on the General Orders Calendar during the Monday session. H.F. 1026 (Moe, D.M.) clarifies the duties and responsibilities of actuaries retained by the Legislative Commission on Pensions and Retirement, revises actuarial determinations, and authorizes the retention of actuarial advisors by various public retirement funds.

H.F. 983 (Morse) adds post-secondary vocational technical representation to UFARS and ESV computer councils and clarifies the duties of the state board of vocational technical education. H.F. 444 (Freeman) prohibits insurance companies or agents from encouraging or promoting a particular funeral home or mortician.

H.F. 388 (Merriam) allows the court of appeals to freeze the financial assets of persons charged with a felony; updates the wiretap law; and prohibits persons from defrauding insurers by concealing or removing property for the purpose of making a fraudulent insurance claim.

Three measures authored by Sen. Ember Reichgott (DFL-New Hope) that received preliminary approval included: H.F. 362, establishing a Housing and Redevelopment Authority in Hennepin County; H.F. 690, requiring that a blood or urine test be administered when a police officer has reason to believe a person is under the influence of a controlled substance; and H.F. 1267, providing for the broadening of investment authorities by insurance agencies.

H.F. 792 (Spear) permits a group of affiliated persons to join an established credit union. According to Spear, a "group" must consist of at least 1,500 persons. Another measure sponsored by Spear, H.F. 490, restructures the Minneapolis School Board by increasing board membership to nine members, six of which will be elected by district.

H.F. 1073 (Kroening), restricts advertising practices by plumbers. The measure states that master and journeymen plumbers are required to include their license numbers in advertisements.

## Cigarette tax gains preliminary okay

A measure raising the cigarette tax by 15 cents per pack was also among the bills given preliminary approval Monday.

According to the bill's author, Sen. Linda Berglin (DFL-Mpls.), S.F. 1210 will raise about \$58.5 million during 1988-89. The revenue raised from the tax will be distributed among a public service health fund (one cent), a sliding fee health insurance fund (three cents), the general fund (seven cents), and a debt service fund (four cents). The added tax may also serve as an incentive for more people to quit smoking, Berglin said.

An attempt by Sen. Howard Knutson (R-Burnsville) to amend the bill down to a three cent tax increase for the health insurance fund only was defeated.

The Senate also gave preliminary approval to H.F. 401, authored by Sen. Gregory Dahl (DFL-Coon Rapids) establishing criminal penalties for the illegal disposal of hazardous wastes. The bill provides for up to a \$25,000 fine and up to one year in prison for each day of violation. Household hazardous wastes, trash, demolition debris and agricultural pesticides are exempt from the criminal penalty.

S.F. 451, authored by Sen. Donna Peterson (DFL-Mpls.), raises the minimum fine for parking in a spot reserved for handicapped parking from \$25 to \$100 and sets the maximum fine would be raised from \$100 to \$250. In addition, the bill implements a fine for failure by a parking lot owner or manager to clear obstructions in a handicapped parking spot.

Other bills on the General Orders Calendar gaining approval were as follows. Three bills dealing with state elections: H.F. 1327 (Cohen) moving the date for precinct caucuses back three weeks and changing the times the caucuses convene from 8:00 p.m. to 7:30 p.m.; H.F. 281 (Hughes) providing for experimental mail elections,

when not involving bids for elective office, and when no more than two questions are asked; and H.F. 334 (Hughes) the secretary of state's housekeeping bill changing registration, absentee ballots, filing, training, administrative, electronic voting, ballot preparation, canvassing and election contest procedures.

Five bills relating to state government were also approved. H.F. 354 (Kroening) establishes a job class for chiropractors in the state civil service system. H.F. 872 (Merriam) conforms state hazardous waste rules to that of the federal government; S.F. 575 (Merriam) appropriates \$20,000 to the director of public safety for a publication promoting organ donations to be included with drivers' license renewal notices. S.F. 1260 (Marty) provides reimbursement for certain child care expenses incurred in connection with service on state boards; H.F. 1374 (Luther) repeals the numerical limit attorney general may name as staff assistant attorneys general and authorizes the attorney general to delegate contract reviews. S.F. 1280 (Vickerman), an omnibus department of public safety bill, makes numerous changes in laws governing the department.

Among the local government bills gaining preliminary approval were H.F. 404 (Bertram) requires posting of warning signs for school buses and carriers of dangerous cargo at some railroad crossings and allowing local governments to post stop signs at railroad crossings in their municipality at their discretion; H.F. 1266 (Reichgott) providing Hennepin County with bonding authority for library construction and betterment; H.F. 955 (Marty) giving port authority powers to the cities of Roseville and White Bear Lake; S.F. 533 (Gustafson) extending the city of Hermantown's exemption from property taxes in economic development areas; and H.F. 1365 (Hughes) authorizing the city of Little Canada to issue two additional on-sale liquor licenses.

Bills pertaining to legal issues included the following. H.F. 687 (Frederickson, D.R.) allows law enforcement agencies to release the date of birth of persons involved in traffic accidents. H.F. 590 (Spear) allows a two year stay of sentence in misdemeanor cases involving DWI and fifth degree assault. H.F. 1209 (Peterson, D.C.) updates nuisance laws and provides a procedure the enforcement of nuisances in order to close down houses of prostitution and gambling and disorderly houses. H.F. 931 (Spear) recodifies public guardianship laws for the mentally retarded. H.F. 308 (Marty) includes live performances in the laws regulating the exposure of minors to sexually provocative material. H.F. 147 (Peterson, D.C.) expands the crime of witness tampering to include intimidating witnesses to make false statements. H.F. 1314 (Peterson, D.C.) raises the unlawful detainer and conciliation court filing fees in Hennepin County. H.F. 1252 (Berglin) provides an occupant of condemned property 10 additional days in which to move out following the date the eviction. H.F. 1312 (Spear) prohibits impersonating a police officer and provides a penalty for doing so. The measure also restricts operation of marked cars. H.F. 375 (Marty) allows the commissioner of corrections to collect restitution when inmates destroy property, authorizes the forfeiture of contraband money and property and provides that the money will be used for an inmates' social fund. H.F. 813 (Metzen) clarifies existing bicycle safety laws. H.F. 1274 (Merriam) provides that a criminal's tax refunds may be collected to pay child support debts and crime victim restitution. H.F. 841 (Jude) prohibits unlawful utility meter bypass and tampering. S.F. 896 (Luther) provides for the award of sentimental property to a decedent's children. H.F. 1015 (Peterson, D.C.) provides for the enforcement of sanctions for operating a motorboat, snowmobile or all-terrain vehicle while under the influence of alcohol or a controlled substance. H.F. 151 (Peterson, D.C.) permits the crime victims reparation board to file a claim for reparations on behalf of a victim. H.F. 593 (Jude) requires insurance companies to release insurance policy information to certain law enforcement and prosecutorial authorities regarding motor vehicle thefts and prescribes higher penalties for motor vehicle theft and major theft.

Preliminary approval was given to three bills relating to health and human services including: H.F. 1350 (Berglin) establishing rates for the child care sliding fee program; H.F. 556 (Lantry) establishing difficulty of care payments for children in foster care; and H.F. 642

(Hughes) providing for review of supportive living residences and prohibiting the licensing of the residences.

Finally, preliminary approval was given to H.F. 1336 (Wegscheid) creating the Minnesota Task Force on Interior Designers and Decorators; H.F. 393 (Reichgott) limiting unemployment benefit charges to fire departments and emergency transportation services; S.F. 1095 (Merriam) clarifying the definitions of estimated taxes; S.F. 875 (Marty) requiring the legislative advisory commission to recommend allocation of oil overcharge money; and H.F. 1197 (Marty) revising the language and grammar of certain laws without changing the meaning of the laws.

## Minimum wage hike recommended to pass

Members of the Senate met on Monday evening and gave preliminary approval to the controversial minimum wage bill. According to H.F. 3 sponsor Sen. Marilyn Lantry (DFL-St. Paul), the bill establishes a two-tier system and phases in a minimum wage increase over a three year period.

The minimum wage, currently at \$3.35 per hour, will be raised for employees 18 years or older to \$3.55 per hour in 1988, \$3.85 per hour in 1989, and \$3.95 per hour in 1990 for large businesses. For small businesses, Lantry said, the minimum wage will increase to \$3.50 per hour in 1988, \$3.65 per hour in 1989, and \$3.80 in 1990.

Minimum wage for employees under the age of 18 years working for large businesses will earn \$3.20 per hour in 1988, \$3.47 per hour in 1989, and \$3.56 per hour in 1990. Employees under 18 years of age and working for small businesses will earn a minimum wage of \$3.15 per hour in 1988, \$3.29 per hour in 1989, and \$3.42 per hour in 1990.

The minimum wage for employees who receive \$35 or more in gratuities per month will be \$3.35 per hour for those who are 18 years of age or older, and \$3.02 per hour for those who are under 18 years, Lantry said.

An amendment was offered by Sen. Bob Lessard (DFL-Int'l Falls) exempting home-based workers from the wage increases. Lessard told the members that if the amendment were not adopted, many companies allowing women to work in their homes would leave the state. Lantry, who opposed the amendment, argued that it is not fair to ask women to work for such low wages and that 20 percent of those persons earning minimum wage are principal wage earners. The amendment was defeated after considerable debate and the bill was recommended to pass, to become effective January 1, 1988.

Several other bills on the General Orders Calendar were given preliminary approval during the evening session. H.F. 596 (Freeman), providing for the detention and confinement of minors who are subject to prosecution as adults gained approval after an amendment offered by Sen. Jim Ramstad (R-Minnetonka) deleting a major portion of the bill was approved. The section amended removes provisions of the bill allowing a juvenile to be detained up to six hours in a jail located in the metropolitan area and provisions stating that no child under the age of 14 may be detained in a jail or facility used for the confinement of adults who have been charged or convicted with a crime.

H.F. 1041 (Spear), provides that adoptive parents may not voluntarily terminate parental rights under conditions other than those available to biological parents, that adoption agencies must notify adoptive parents of the biological parents rights, and that biological parents be notified if the adoptive child has a medical problem and has not yet been placed for adoption.

H.F. 350 (Marty) extends the crimes of murder in the third degree and manslaughter in the first degree to deaths caused by the sale of controlled substances.

H.F. 1475 (Chmielewski), provides for the employment of persons with severe disabilities. Chmielewski said that by 1990, the percentage of handicapped persons in the state civil service will approximate the percentage of handicapped persons in Minnesota's general population.

H.F. 591 (Brandl) allows the commissioner of human services to authorize direct payments to shelter facilities. According to Brandl, if a funding request is denied, shelters supporting women and children may appeal the denial of general assistance.

H.F. 1119 (Dicklich) permits the sale of certain land in St. Louis County. S.F. 966 (Wegscheid) enacts the Uniform Unclaimed Property Act. S.F. 704 (Wegscheid), makes a number of changes to the Administrative Procedure Act and allows the Legislative Commission to Review Administrative Rules to consider exemptions from the APA. S.F. 686 (Wegscheid) establishes liens and security interests that are subject to federal notice and registration provisions.

In other action, the Senate granted final passage to a number of bills on the Senate Calendar that received preliminary approval during the Saturday session.

## Tuesday, May 12

### Final approval given to minimum wage raise

The Senate granted final approval to a two-tier minimum wage bill, Tues., May 12, which will raise the minimum wage 45 cents per hour for some workers and 60 cents for others by 1990. H.F. 3, authored by Sen. Marilyn Lantry (DFL-St. Paul) passed on a 44-23 vote.

The measure provides that employers with sales over \$362,500 annually will phase-in a 60 cent per hour increase over a three year period and smaller firms, with gross sales under \$362,500, will phase-in a 45 cent per hour increase over the same three year period.

Senators devoted the first portion of the floor session to giving final passage to 60 of the 62 bills on the Senate Calendar. The only measures not given final passage—S.F. 247, relating to fair campaign practices, and S.F. 393, relating to unemployment compensation—were in the process of being compared to House companion bills.

Members of the Senate then turned their attention to bills on the Special Orders Calendar and devoted the rest of the afternoon and evening to debate, amendment and final passage of those measures designated special orders pursuant to rule 10 of the Senate.

S.F. 478, the omnibus insurance bill, generated lengthy debate on several controversial provisions before being granted final passage on a 41-21 roll call vote. The measure, sponsored by Sen. William Luther, contains numerous provisions altering laws relating to insurance regulation in Minnesota. One of the more controversial provisions, mandating coverage of temporomandibular joint disorder, better known as TMJ, and mental health services, was the subject of several amendments. Ultimately, the result was that TMJ coverage would be mandated for dental insurance policies, but the provisions of the bill would not apply to small businesses.

Another controversial provisions dealt with the discounting of claims awarded by the court in tort actions. An amendment, offered by Sen. Darril Wegscheid (DFL-Apple Valley), deleting the provision failed on a tie 31-31 vote.

A third area of controversy, concerning insurance coverage of rental vehicles, also generated considerable debate. An attempt to delete that section of the measure also failed to gain adoption. An amendment, providing for written notification to the customer that collision damage waiver or other insurance may not be necessary in car rentals, was approved.

Members of the Senate also spent considerable time debating a measure that would allow parents of new-borns and parents of newly adopted children to take unpaid leaves of absence of up to six weeks. H.F. 234, sponsored by Sen. Donna Peterson (DFL-Mpls.), as originally drafted, would have mandated that employers, of more than 21 employees would have to grant an unpaid parental leave to either the mother or the father. Opponents of the measure, however, argued that the bill would place an undue hardship on businesses in Minnesota. Proponents countered that the bill accommodated the changing roles of men and women in society and allowed men to stay home with the child and allowed women to go back to work sooner if the couple felt that was the best option. An amendment, offered by Sen. Charles Berg (DFL-Chokio), specifying that the bill applies only to maternal leave rather than parental leave was adopted over the objections of the author. A second amendment, restricting the bill to those employers with more than 40 employees, was also adopted. Peterson then asked that the bill be progressed before any final action could be taken.

# Floor Action

A third major bill of the afternoon session, S.F. 806, makes several changes to the Rural Relief Act of 1986. The measure, authored by Sen. Charles Davis (DFL-Princeton), contains nine articles. The first article relating to the Rural Finance Authority, authorizes participation in the beginning farmer program and provides for a homestead redemption loan program. The second article includes provisions from S.F. 1279, authored by Sen. Steven Morse (DFL-Dakota), relating to the right of first refusal. Articles three and four also included portions of S.F. 1279, and they relate to the prohibition on the waiver of debtors rights and the notification and designation of separate tracts of land. Article five, continues the agriculture data collection task force. Article six includes provisions of S.F. 1375, a bill providing for the use of the "Minnesota Grown" label. Articles seven and eight deal with agricultural preserves and agriculture commodities respectively. Finally, article nine contains appropriations for the various provisions in the bill as well as other agriculture related activities. Discussion on the bill centered on amendments allowing a corporate turkey hatchery to operate in a specific county. The amendment was adopted and the bill was approved on a 48-6 roll-call vote.

In other action, Senators granted final approval to five other bills. H.F. 561, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for access to data by protection and advocacy systems for the mentally ill. S.F. 946, authored by Sen. Linda Berglin (DFL-Mpls.), alters the allocation of federal fiscal disallowances based on error rates. H.F. 1073, sponsored by Sen. Carl Kroening (DFL-Mpls.), provides for advertising restrictions for plumbers. S.F. 1449, authored by Sen. Steven Novak (DFL-New Brighton), requires a registration tax on park trailers, requires unregistered park trailers to pay property tax and imposes a motor vehicle excise tax on park trailers. S.F. 1307, authored by Sen. Gene Waldorf (DFL-St. Paul), establishes a task force to review the possibility of implementing a common course numbering system for post-secondary educational institutions.

## Wednesday, May 13

### Special Orders bills considered

In addition to the parental leave bill and the consitutional office consolidation bill, members of the Senate acted on several additional measures on the Special Orders Calendar during the Wed., May 13, afternoon session.

S.F. 946, authored by Sen. Linda Berglin (DFL-Mpls.), alters the allocation of federal fiscal disallowance based on error rates. Under the measure, the error percentage rate is equitably distributed among counties.

H.F. 1390 carried by Sen. Ronald Dicklich (DFL-Hibbing) gives small businesses better consumer protection. The bill gives the office of the attorney general the right to intervene in matters relating to utility rates and service. S.F. 953 authored by Sen. Florain Chmielewski (DFL-Sturgeon Lake), provides for payment of property taxes for the year in which property is sold so that the new owner is aware of the tax status of the property. H.F. 345, carried by Sen. Don Samuelson (DFL-Brainerd) allows certain cities to appropriate money for advertising. H.F. 1223, also sponsored by Samuelson, removes special qualifications for the newspapers in Morrison County.

Members of the Senate defeated a measure that would have authorized the Public Utilities Commission to order a public utility or telephone company to adjust its rates retroactive to July 1, 1986 to reflect the impact of the Tax Reform Act of 1986. The measure, S.F. 1191, authored by Sen. John Marty (DFL-Roseville), failed on a 24-32 roll call vote.

### Centralized UCC filing system gains

S.F. 652, authored by Sen. Randolph Peterson (DFL-Wyoming) creates a computerized filing system for Uniform Commercial Code financing statements and lien statements. The central file will be

located within the secretary of state's office with computer link-ups to the system in county auditor's offices. The measure will prevent buyers from making purchases which have a lien attached, Peterson said. The measure provides a \$500,000 allocation to institute the system.

Another Peterson measure, H.F. 1207, alters the redemption periods for certain agricultural lands. Under the bill, parcels of 10 to 40 acres not in agricultural production receive only a six month redemption period instead of the 12 month redemption period under current law. Parcels of over 40 acres or more used for any purpose will retain the 12 month redemption period. Another Peterson measure, H.F. 1083, exempts cities from certain insurance liabilities under the Municipal Tort Claims Act.

S.F. 1472, authored by Sen. Allan Spear (DFL-Mpls.) makes changes in the chemical dependency assessment system for DWI offenders and certain juvenile DWI offenders. The bill provides for a second stage chemical dependency assessment to be charged to the person convicted of DWI or a DWI-related offense. Under current law, DWI offenders are screened for dependency through regional public safety programs. Spear said in some cases, a second assessment conducted by chemical dependency professionals is needed to supply judges with more reliable information with which to make a decision on treatment.

H.F. 532, carried by Sen. Gary DeCramer (DFL-Ghent) establishes standards for the safe operation of motorized bicycles. Sen. Fritz Knaak (IR-White Bear Lake) added an amendment prohibiting motorized bicycles on bikeways or lanes reserved for non-motorized traffic.

The Senate also reconsidered and gave final passage to S.F. 1044 (Dahl). The measure provides for combining seniority lists of teachers in districts entering into agreements with secondary education institutions.

In other action, members adopted conference committee reports and repassed the following bills. S.F. 554 (Pehler) makes changes to state park motor vehicle permits. S.F. 168 (Reichgott) prohibits discrimination in the extension of credit to female entrepreneurs. H.F. 200 (Berglin) establishes a standard for the disclosure of a reporter's name under the child abuse reporting act and the vulnerable adults reporting act. S.F. 1152 (Solon) restricts purchases of alcoholic beverages to persons with delinquent licenses, limits imports by individuals and restricts the employment of minors in non-intoxicating liquor premises. S.F. 94 (Davis) requires that billings for hearing aid repairs be itemized except when repairs are warranted.

### Unemployment compensation compromise okayed

A compromise unemployment compensation bill fueled debate into the early morning hours of Thurs., May 14. According to chief author Sen. Florian Chmielewski (DFL-Sturgeon Lake), the bill, H.F. 715, is an attempt to resolve the long standing controversy over the unemployment compensation insurance system. "After years of negotiations, we have reached a historic moment," he said. Chmielewski said the bill achieves the goal of long term solvency for the unemployment insurance fund, shifts more of the costs to the employers with high experience ratings, provides fair benefits and will result in lower costs for 80 percent of the state's businesses.

Debate on the measure, however, centered on procedural matters. Independent Republicans objected strenuously to manner in which the bill was brought before the body and the hour at which the bill was being debated. Proponents, however, argued that the bill was a necessary step forward to resolving the controversy. The bill gained final passage on a 38-22 roll call vote.

A second bill sponsored by Chmielewski also generated heated debate. H.F. 663 provides for the disposition of the remains of human fetuses. Debate was focused on whether to act on the House version of the bill or the Senate version. The Senate version contained a provision allowing incineration as a means of disposal. Chmielewski, however, objected to the provision and moved to use the House version of the bill. The motion prevailed on a 35-19 roll-call vote. The bill was then given final passage 40-17.

The third bill on the Special Orders Calendar to gain final passage Wednesday evening was S.F. 463. The measure, authored by Sen. William Luther (DFL-Brooklyn Park), makes numerous changes in statutes regulating securities, financial planning, and investment planners and brokers. Two provisions of the measure relating to abstracts of title and to the locking in of mortgage interest rates generated discussion. An amendment offered by Sen. Mel Frederick (IR-Owatonna), designed to protect the opportunity for home ownership on the part of first time buyers, requires that the interest rate and points be agreed to in writing and that the lender must spell out exactly what the buyer is required to furnish to process the application. The bill was then given final passage.

The remainder of the evening was devoted to consideration of bills on the General Orders Calendar. Twelve bills were given preliminary approval. H.F. 643, authored by Sen. Ember Reichgott (DFL-New Hope), provides that an order of protection remains in effect even if the respondent has permission to enter the premises and requires written notice to respondents of penalties for violation of an order. H.F. 654, sponsored by Sen. Michael Freeman (DFL-Richfield), clarifies that the chairman of the Metropolitan Airports Commission serves at the pleasure of the governor and requires plans and reports on noise, capacity and other matter at Minneapolis-St. Paul International Airport to be made available to the legislature. S.F. 156, authored by Luther, adopts an article of the Uniform Commercial Code relating to leases. H.F. 990, carried by Luther, provides that person convicted of a crime of violence may not ship, transport, possess, or receive a firearm for ten years following restoration of civil rights. H.F. 391, sponsored by Sen. Tad Jude (DFL-Maple Grove) increases penalties for distributing controlled substances to a minor or employing a minor to distribute controlled substances and defines the measurement and purity requirements of controlled substances.

S.F. 905, sponsored by Sen. Bob Lessard (DFL-Int'l Falls), appropriates \$95 million to the commissioner of natural resources to replace income lost to state trust funds when timber permits were canceled, releases the timber from the trust for a five year period and authorizes the commissioner to sell, recycle or dispose of the timber. S.F. 587, authored by Luther, adds emergency personnel to the list of people eligible for benefits from the peace officers benefit fund. S.F. 508, sponsored by Sen. Steven Novak (DFL-New Brighton), requires a license for the transportation of hazardous waste, provides for the license administration, suspension, and revocations, specifies articles that may be carried as household goods and prescribes penalties. S.F. 841, also authored by Novak, amends the requirements for eligibility, applications, agreements, payments and other terms and conditions of the conservation reserve, or RIM, program. H.F. 1417, sponsored by Sen. John Brandl (DFL-Mpls.), provides for hospice care payments under medical assistance. S.F. 612, authored by Sen. Linda Berglin (DFL-Mpls.), creates exceptions to the nursing home moratorium and prohibits renewal of licenses for nursing home and boarding care home beds in rooms with more than four beds. S.F. 717, authored by Sen. Charles Berg (DFL-Chokio), provides for the regulation of pesticides, provides for the licensure of pesticide applicators, recodifies pesticide laws and provides penalties.

## Thursday, May 14

### Utility tax refund bill gains approval

Some utility customers could be paying lower rates for service, under a bill passed by the Senate Thursday morning. The measure, S.F. 1191, permits the Public Utilities Commission to adjust utility rates to reflect company savings resulting from the anticipated federal tax refund.

Bill sponsor Sen. John Marty (DFL-Roseville) said Minnesota utility companies will receive in total about \$111 million in tax refunds due to the federal tax reform law. The proposal, he explained, would expedite the rate reviewing process to assure that customers benefit from the savings.

Before approving the bill, Senate members narrowly defeated an amendment allowing the PUC to adjust rates when additional taxes,

unemployment or workers compensation costs are imposed. Sen. Don Frank (DFL-Spring Lake Park), sponsor of the amendment, said Marty's bill is unfair unless rates are changed to reflect both added costs as well as savings. Speaking in opposition to the amendment, Marty argued that Frank's proposal "would destroy the rate making process."

The bill, which was defeated earlier during the week, was passed on a 43-20 vote.

In other action Thursday morning, the Senate approved a resolution, House Concurrent Resolution 9, commemorating Minnesota citizens missing in action during the Asian conflicts. The Senate measure is sponsored by Sen. Joe Bertram (DFL-Paynesville). And, the Senate agreed to the House version of the bill licensing home care service agencies. Included in changes to S.F. 51, authored by Sen. Linda Berglin, is a requirement that the Dept. of Human Services could take up to 90 days to deny a license.

The Senate also gave final passage to bills placed on the Senate Calendar during the Wednesday, May 13, session. Excluded from final passage was S.F. 612, which establishes a review process for granting exceptions to the nursing home moratorium. Bill author Sen. Linda Berglin (DFL-Mpls.) requested that the bill be returned to General Orders.

## Branches of government

Government at the state and federal levels consist of three principal branches: the legislative, the executive and the judicial.

The legislative branch is responsible for the enactment and revision of laws. The United States Congress forms the laws at the national level, and the Minnesota Legislature is the lawmaking body at the state level. Both Congress and the Minnesota Legislature consists of two bodies: the Senate and the House of Representatives. This two body system is referred to as a bicameral system.

The executive branch administers and executes the laws passed by the legislative branch. The President of the United States is the chief executive at the federal level, and the governor serves as the state's chief executive. They are aided by the officials appointed to head the various agencies and departments and by the other officials elected to the executive branch. For example, the governor is assisted by the lieutenant governor, secretary of state, state treasurer, state auditor, attorney general and the agency heads.

The judicial branch enforces the laws and insures that the interpretation of the law is in defense of the U.S. and state constitutions. The federal and state court systems compose the judicial branch.

## Minnesota Legislature

Our state is divided into 67 Senate districts, each having a population of about 60,000 people. Each of these districts is divided into an "A" and "B" portion to designate the house of representative districts. The people of Minnesota elect one person from each of the Senate and House districts to serve them in the Legislature. Therefore, 67 Senators and 134 Representatives compose the Minnesota Legislature. Senators serve four-year terms and Representatives serve two-year terms.

According to Minnesota law, the Legislature may meet only 120 legislative days during a two-year period called a biennium. A legislative day is defined as any day either body is called to order. Generally, the Legislature convenes in early January and works through late May in odd numbered years. It adjourns earlier in even numbered years.

# MINNESOTA STATE SENATE

## Senate Members — 1987 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	DFL	296-4136	Lessard, Bob	328 Cap.	3
IR	6455	Anderson, Don	153 SOB	12	DFL	8869	Luther, William P.	205 Cap.	47
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	5645	Marty, John J.	235 Cap.	63
IR	5975	Belanger, William V., Jr.	107 SOB	41	IR	1279	McQuaid, Phyllis W.	135 SOB	44
IR	3903	Benson, Duane D.	147 SOB	32	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	5094	Berg, Charles A.	328 Cap.	11	DFL	4154	Merriam, Gene	122 Cap.	49
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4370	Metzen, James	303 Cap.	39
IR	4131	Bernhagen, John	113 SOB	21	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	2084	Bertram, Joe, Sr.	323 Cap.	16	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	5649	Morse, Steven	G-24 Cap.	34
IR	4848	Brataas, Nancy	139 SOB	33	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	4182	Chmielewski, Florian	325 Cap.	14	IR	1282	Olson, Gen	33 SOB	43
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	8018	Peterson, Randolph W.	G-9 Cap.	19
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	9248	Piper, Pat	325 Cap.	31
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	8298	Diessner, A. W. "Bill"	323 Cap.	56	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	2877	Frank, Don	G-10 Cap.	51	IR	9251	Ramstad, Jim	123 SOB	45
IR	4123	Frederick, Mel	119 SOB	30	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
DFL	5640	Frederickson, David J.	G-24 Cap.	20	IR	4125	Renneke, Earl W.	117 SOB	35
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	4875	Samuelson, Don	124 Cap.	13
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	7157	Schmitz, Robert J.	235 Cap.	36
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4188	Solon, Sam G.	303 Cap.	7
DFL	4183	Hughes, Jerome M.	328 Cap.	54	DFL	4191	Spear, Allan H.	G-27 Cap.	59
IR	3826	Johnson, Dean E.	105 SOB	15	IR	6238	Storm, Donald A.	125 SOB	42
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	4248	Jude, Tad	326 Cap.	48	IR	9457	Taylor, Glen	103 SOB	24
IR	1253	Knaak, Fritz	149 SOB	53	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	3809	Waldorf, Gene	124 Cap.	66
DFL	4302	Kroening, Carl W.	124 Cap.	57	DFL	8091	Wegscheid, Darril	309 Cap.	37
IR	4351	Laidig, Gary W.	141 SOB	55	DFL	4147	Willet, Gerald L.	111 Cap.	4
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	G-28 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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87, May 22

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# Briefly

The Minnesota Senate Week in Review May 22, 1987

## Session adjourns

The final gavel signaled the end of the first half of the Legislative session a few minutes before midnight Monday, May 18. The Senate had completed work on the major spending bills, the omnibus tax bill and numerous conference committee reports during the course of the day. This issue of Briefly contains very short summaries of the floor action from Thursday, May 14, through adjournment.

Highlights of the major spending bills and the tax bill appear on the first two pages and chronological summaries of floor activities appear under daily headings. A more complete description of major bills and summaries of all bills signed into law will be forthcoming in a Session Review publication.

## Senate passes semi-states conference bill

A Senate and House conference committee package that funds the departments of agriculture, transportation and semi-state agencies with a \$2.02 billion appropriation passed the Senate Saturday, May 16. The compromise measure allocates \$52.5 million in funding for metro and outstate transit and keeps \$5.6 million from motor vehicle excise taxes for highway improvements. However, the bill generally accepts the governor's proposal to use dollars originally earmarked for transit and highway improvements to balance the state's budget.

Sen. Lyle Mehrkens (R-Redwing), a conference committee member, characterized the lack of highway funding in the bill as a major disappointment. The lack of leadership on highway funding was "truly a failure on the part of the governor," he said. As a result, Mehrkens explained, outstate highway projects will be cancelled.

About \$9 million of the transit funding will result from increases in driver license fees, bill sponsor Sen. Keith Langseth (DFL-Glyndon) told Senate members. Persons applying for a license would pay \$15 instead of the current \$10 fee.

Before giving the bill final approval, Senate members voted to send the package back to conference, so measures unrelated to Senate and House versions could be removed. Sen. Gene Waldorf (DFL-St. Paul), who requested the referral, said Senate rules prohibit conference committee reports from containing provisions unrelated to either of the approved bills.

## Higher education funding bill completed

Nearly \$1.66 billion will fund public post-secondary institutions during the coming biennium, under a conference committee plan passed by the Senate Saturday, May 16. According to bill sponsor Sen. Gene Waldorf (DFL-St. Paul), the bill increases higher education spending by 11.1 percent and falls about \$51.4 million below the governor's recommendation and \$10 million under the Senate's original position.

The budget for the University of Minnesota, which was increased 11.7 percent, totals \$789 million for the biennium. Funding for the Commitment to Focus plan was set at \$6 million, which is below the \$22 million originally accepted by the Senate. The governor requested \$24 million for the program.

The State University System would receive a biennial appropriation of \$271 million, which reflects a 12.5 percent increase over the current biennium. State AVIT's receive an 8.4 percent increase with \$310 million, and community colleges are appropriated \$135 million, which is an 11.2 percent increase over the 1985 spending bill.

## ST. PAUL Education aids package passed

A bill providing \$3 billion for education aids gained repassage early Monday afternoon. The compromise package retains the key equity provisions developed by the Senate, said chief author Randolph Peterson (DFL-Wyoming), but because of some minor changes made to accommodate House conferees, the disparity between districts will not be smoothed out quite as quickly. H.F. 753 sets the foundation aid allowance at \$1,720 for the first year of the biennium—\$40 per pupil unit more than the original Senate bill—and sets the foundation allowance at \$2,735 for the second year of the biennium. In the second year of the biennium the mill rate will be at 35 mills and the secondary pupil unit weighting will be 1.35 rather than the 1.4 specified in the Senate bill.

The bill also contains a one year "buy-down" of districts with levy increases greater than 2 mills in that the state would pay for half of the increase over 2 mills. The measure retains the Senate language on an administrative cost freeze but it applies only to districts which have not filed a pay equity plan. In the area of transportation aid, the bill sets the two year inflation factors at 4.9 percent for fiscal year 1988 and 4.1 percent for fiscal year 1989 and provides \$5.2 million for desegregation transportation grants to Minneapolis and St. Paul. The compromise measure also mandates special education for ages birth to two years, reduces regular, summer school, and secondary vocational handicapped special education aid from 70 percent (up to \$19,500) to 66 percent (up to \$18,400). Adult basic education, adult handicapped, and community education are all funded under the measure. And, 50 cents per capita is added to the community education formula to be used for youth services.

Under the measure, the Faribault academies appropriations is set at \$12.7 million and the state School and Resource Center for the Arts appropriation is set at \$4.8 million. The bill also specifies appropriations for state agency services for teacher assessment plans, early childhood family education technical assistance, a community education task force and a study for a statewide fringe benefits study. The bill also increases the capital expenditure allowance to \$153 per actual pupil unit and reduces the mill rate to three mills, requires hazardous substance removal plans, creates a new levy and aid formula in fiscal year 1989 and provides for an exceptional need aid and levy.

Finally, the bill allows 11th and 12th grade pupils to remain in the same school district if their parents move to a different school district, requires the establishment of an academic league to promote excellence by competition among schools, requires school nurses in districts with more than 1,000 students, removes the physical education requirement from teacher education programs, establishes a voluntary open enrollment program, sets up a teacher mentorship program, rewrites the PER provisions, and requires the board of teaching to redesign teacher education programs.

## Legislature passes \$690 million tax plan

A \$690.5 million tax bill constructed in a House-Senate conference committee was approved by the Senate Monday, May 18, on a 36-30 vote.

Sen. Douglas Johnson (DFL-Cook), sponsor of H.F. 529 and chair of the Taxes and Tax Laws Committee, said the tax plan is one of "historical reform" in the area of taxation. "This is the smallest increase in state spending in 20 years. I think we have been responsible. It's been a very difficult task," Johnson said of the

# Floor Action

designing and negotiating of the plan which will fund the state's activities over the next two years.

Johnson, along with tax division chairs Sen. Lawrence Pogemiller (DFL-Mpls.), Sen. LeRoy Stumpf (DFL-Plummer) and Sen. Steven Novak (DFL-New Brighton) provided a summary of the tax bill.

Among the major provisions of the bill is an extension of the state sales tax to many currently exempt businesses and agencies. It is expected to raise \$224.3 million over the next two years. Individual income tax rates are narrowed down to two rates—six and eight percent.

An alternative minimum tax on corporations based on sales, payroll and property, aimed at corporations that currently pay little or no tax, will go into effect along with a change in the basic corporate tax rate, which is cut from 12 percent to 9.5 percent.

Property tax reform, while dropping the number of property tax classifications from 68 to five, will help rural areas where property values have fallen, while some metropolitan area property owners will see an increase. The new property tax rates will go into effect beginning in 1989.

A new 15 cent per pack tax on cigarettes was combined with the bill in the conference committee and is now part of the overall package.

Twelve additional cents will be added to the existing tax on liquor, beer and wine.

Renters' credits and circuit breaker property tax refunds will be reduced by one-third initially but will rise slightly in 1988.

The plan also eliminates tax loopholes and generally conforms to federal tax reform.

A "trigger" tax effecting an automatic increase for individual and corporate tax rates will go into effect if the budget reserve falls below \$250 million.

Johnson said the base-broadening measure and the reserve fund is needed to deal with an \$813 million expected budget deficit and possible revenue instability in the future. But the 20 IR legislators who voted against the bill spoke vehemently against the size of the tax increase.

"The cruelest part of the bill is the trigger," Senate Majority Leader Duane Benson (IR-Lanesboro) said of the automatic increase provisions. He said if the DFL controlled legislature doesn't stay within its budget constraints, taxpayers will see an automatic increase.

Other IR legislators also criticized the majority for the tax increase. The bill "enables even small businesses that lose money to participate in the state's favorite past-time—taxing, taxing, taxing," Sen. Mel Frederick (IR-Owatonna) said.

IR Senators were joined by 10 DFLers in their votes against the measure.

## \$2.2 billion human services bill passed

The Senate, on a 53-3 vote, agreed to \$2.2 billion appropriation package that will fund welfare, mental health, health insurance and child support programs over the next biennium.

Sen. Don Samuelson (DFL-Brainerd) sponsored the Omnibus Human Services Bill, H.F. 243.

Major programs funded by the bill include a comprehensive network of community mental health services, health insurance coverage for the "working poor," strengthening of child support collection activities and major efforts to reform the Aid to Families With Dependant Children program.

The bill includes an \$18 million appropriation for the Minnesota Employment and Economic Development work program and institutes a deed and mortgage tax which is expected to raise \$45 million.

## Bonding bill approved

A capital improvements—or bonding bill—of slightly less than \$470 million gained final passage early Monday evening. The measure, H.F. 919, carried by Sen. Michael Freeman provides the bonding authority for a number of building or remodeling projects throughout the state. The measure is substantially less than the \$700 million request that the governor had recommended to the

Legislature and contains \$22 million more than the Senate had approved in its version of the bill.

Thirty-nine percent of the total capital budget, \$183 million, is earmarked for higher education projects, said Freeman, with \$33.2 million going to AVTIs, \$35 million going to the Community College System, \$52.5 million slated for the State University System and \$47.8 million going to the University of Minnesota. A total authorization of \$10.7 million is provided for corrections and human services.

Included within the capital budget is money for a new state history center (\$50 million) and authorization for the Leduc Historical Site, the Indian Cultural Center at Mille Lacs and the Red River Valley Center. In addition, \$32.5 million is earmarked for the new judicial building in the Capitol complex, as well as a restoration of the Capitol Building and the Centennial Building.

The bill also includes an Olympic track and field complex in Blaine, an outdoor recreational grants program, the Duluth Convention Center, the Duluth Port Authority and the Duluth Zoo. The total authorization for the projects is \$46.3 million.

One of the more significant parts of the bill, according to Freeman, is the authorization of over \$70.7 million for wastewater treatment in both the metro area and Greater Minnesota. In addition, the bill provides \$15.5 million for Metropolitan Regional Parks, \$14 million for Greater Minnesota recreational facilities and \$19 million for the RIM program.

Finally, \$5 million is provided for local bridge repair and \$3.8 million for the local share of several federal demonstration projects. A total of \$9.4 million is provided for improvements to district headquarters and truck stations.

Discussion on the measure centered primarily on several sections of the bill entitled the "cooperative secondary facilities grant act." The bill contains language citing the rates of decline in the school-aged population and specifies that the purpose of the cooperative secondary facilities grant program is to provide an incentive to encourage cooperation between school districts by providing grants to be applied toward the construction costs of a cooperative secondary education facility. Sen. Roger Moe, while indicating his support of the bill as a whole, said that he did not think the approach taken in the bill was the correct method of dealing with the problem of declining enrollments and sparsely populated districts. Moe also warned the body that the issue was going to become increasingly important over the course of the next few years.

The bill, as amended by the conference committee, was approved on a vote of 46-17.

## State agency bill clears final hurdle

The Minnesota Senate completed the Legislature's work on setting the state budget when it passed a measure funding the various public agencies and departments. The final state departments bill, approved Monday evening, appropriates \$673 million over the 1988-89 biennium.

As completed by the conference committee, the bill reduces the governor's recommended spending for several agencies. Among the spending cuts, the Attorney General's Office will receive \$4.2 million less than proposed by the governor. The Dept. of Revenue's proposed budget was cut by \$11 million, and the governor's recommendation for the Dept. of Energy and Economic Development was reduced by \$11.3 million. Unlike the original House bill, the conference committee decided to keep the Dept. of Human Rights and the Dept. of Occupational Safety.

Persons planning on buying hunting and fishing licenses will be paying more next year, according to the final plan. The increased fees, many of which will take effect next March, range from \$2 to \$5. And, senior citizens will have to pay \$4 for a fishing license; however, they could apply for a refund and continue to fish for free.

Sen. Carl Kroening (DFL-Mpls.), chief sponsor of the measure, said the bill increases services to Minnesotans. Among those he listed were added funds for low-income people to help them meet their housing needs. Also, increases for veteran services are provided in the areas of direct care, and money is available for the

remodeling of veteran facilities at the Minneapolis Home and at Hastings. The bill would ease access to judges by providing increases in the judicial system, and increases were made in the workers' compensation area to reduce the time for injured workers to return to work or receive compensation.

Also included in the bill are salary increases for legislators, judges, constitutional officers and appointed department heads. The increases average about 5 percent annually in 1989 and 1990.

The conference committee did not accept the governor's recommendation to make substantial cuts in the Minnesota Zoo's appropriations. Earlier this session, zoo officials said the proposed cuts would cause them to close several attractions. The bill keeps the \$2 million in cuts proposed by the governor.

## Thursday, May 14

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### Device for hearing-impaired endorsed

Bills receiving final passage during the Thursday session included S.F. 1029, authored by Sen. John Marty (DFL-Roseville), establishing a program to provide communication-impaired persons with telecommunication devices. According to Marty, there are 40,000 hearing-impaired persons in the state and only 1,000 of those people have telephone communication devices. Marty said that payment for the devices, for those persons below the median income, would be paid through a 10 cent per month surcharge on all regular phone customers.

H.F. 1138, sponsored by Sen. Donna Peterson (DFL-Mpls.), changes the definition of small businesses by including technical and professional services that have gross annual revenues of no more than \$2.5 million.

S.F. 908, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes a community service conversion project and requires that counties consider the opinions of parents when developing service plans for persons with mental retardation.

H.F. 1030, carried by Sen. Gregory Dahl (DFL-Coon Rapids), provides grants and loans for the construction and rehabilitation of wastewater treatment facilities and allows municipalities to enter into contract agreements with private contractors. H.F. 526,

sponsored by Sen. Don Samuelson (DFL-Brainerd), authorizes the Department of Human Services to enter into shared service agreements.

Several bills during the Thursday session received preliminary approval. S.F. 514, authored by Sen. Linda Berglin (DFL-Mpls.), creates the Office of Ombudsman for mental health and mental retardation within the Department of Human Services.

S.F. 1202, authored by Sen. James Pehler (DFL-St. Cloud), establishes a siting process for a low-level radioactive waste facility and establishes a siting board. S.F. 1008, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for the regulation of chiropractic services and provides grounds for license revocation. S.F. 834, also authored by Wegscheid, establishes the office of assistant commissioner of mental health and a mental health division within the Department of Human Services.

S.F. 612, sponsored by Berglin, creates exceptions to the nursing home moratorium, establishes a review process for the approval of additional exceptions to the moratorium, and prohibits the renewal of licenses for nursing home and boarding care home beds in rooms with more than four beds.

### Dissolution of state humane society gains

A bill to dissolve the Minnesota Humane Society as a state agency and establish a federation of private, non-profit humane societies and transfer the assets of the humane society to the federation members, gained the Senate's preliminary approval Thursday afternoon.

Sen. David Frederickson (DFL-Murdock), sponsor of H.F. 1113, said the measure is the result of the humane society's history of debts and losses, which came to a head when the society used up its biennial budget in six months.

According to the bill, the Dept. of Administration, which oversees the society, is authorized to dissolve the agency and transfer the agency's assets to the new 22-county federation. The bill also provides for training of regional society agents.

Frederickson said the new federation will be able to accept monetary donations and gifts, as did the society. Sen. Donald Storm (IR-Edina) expressed concern that some counties are being left out of the reorganization due to the loss of a recognizable state-wide institution.

Other measures on the General Orders Calendar gaining preliminary approval are as follows. S.F. 858, authored by Michael Freeman (DFL-Richfield), requires the licensing and training of persons working on asbestos removal projects. Administered by the Dept. of Health, the licensing and training will help solve significant health problems, Freeman said. The measure allocates \$23,000 to the program that is to be repaid through licensing fees. Another Freeman measure, H.F. 1127, establishes flexible gas utility rates for customers purchasing energy from competitive utilities. The author added an amendment excluding indigenous energy supplies from the rating system. Another amendment, offered by Sen. William Luther (DFL-Brooklyn Park) exempts customers of district heating facilities from the rating system.

S.F. 1345, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for the membership of the State Board of Public Defense and provides oversight for the board and of state and regional public defenders. Luther added an amendment making all public defender offices eligible for system funding with the exception of Hennepin and Ramsey Counties.

S.F. 1524, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), provides for the payment of veterans' claims and various damage claims filed against the state by individuals and townships.

S.F. 291, authored by Sen. Donna Peterson (DFL-Mpls.), is the Omnibus Banking Bill, regulating the transactions of various financial institutions. H.F. 834, sponsored by Sen. Gerald Willet (DFL-Park Rapids), creates a forest management fund within the general fund and provides for the deposit of receipts from private forest management services in the fund. S.F. 405, authored by Sen. Duane Benson (IR-Lanesboro) authorizes the expansion of Forestville State Park to include Mystery Cave. The measure allocates funds for land acquisition and maintenance and repair of the cave. S.F. 1437, authored by Sen. John Brandl (DFL-Mpls.), creates an office of science and technology within the Dept. of

# Floor Action

Energy and Economic Development and provides for review of state-funded scientific and technologically related research. S.F. 326, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the executive council of the Dept. of Public Safety to repair state property damaged by major disasters, dedicates receipts from criminal justice datacommunications network billings and appropriates video gaming license fees to the commissioner of public safety for dispersal to municipalities. H.F. 1542, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), conforms unemployment compensation statutes to those of federal laws.

The Senate voted to reconsider a bill regulating chiropractors, providing for license revocation and peer review. A technical amendment to S.F. 1008 was added by the author, Sen. Darril Wegscheid, and the measure was repassed.

Two bills designated Special Orders gained final approval. H.F. 88, carried by Sen. Randolph Peterson (DFL-Wyoming), changes and clarifies certain powers of trustees in probate cases and redefines the term "augmented estate."

H.F. 1281, authored by Sen. Douglas Johnson (DFL-Cook) authorizes Lake County to issue seasonal on-sale liquor licenses and increases the per diem of certain Lake County board and commission members.

The Senate also adopted two conference committee reports and approved the bills that House-Senate panels had worked to a consensus.

H.F. 674, carried by Sen. Linda Berglin (DFL-Mpls.) dictates circumstances when the court may stay execution of a sentence following conviction for a second or subsequent offense relating criminal sexual conduct. The bill also provides that information regarding a sexual assault victim is private.

S.F. 353, authored by Sen. Tad Jude (DFL-Maple Grove) provides for the adoption of ground water plans by metropolitan counties. The measure sets standards for watershed management plans and provides for review of the plans by state agencies.

The Senate also concurred with amendments made by the House to S.F. 735 and repassed the measure. The bill, authored by Sen. Betty Adkins (DFL-St. Michael) provides for a statewide interpreter service for hearing impaired persons and changes the membership of the Minnesota Council for the Hearing Impaired.

Finally, the Senate adopted House Concurrent Resolution No. 8 honoring the life of John Mariucci, a long time hockey promoter and coach.

## Friday, May 15

### Senate Confirms Appointees

The Senate began the Fri., May 15, floor session with consideration of gubernatorial appointments. Members of the Senate approved all the appointments.

The Senate then began consideration of bills on the Senate Calendar. H.F. 291, authored by Sen. Donna Peterson (DFL-Mpls.), regulates incorporations and operations of banks and authorizes the commissioner to borrow money to satisfy obligations of certain closed institutions. The bill also modifies the maximum allowable interest rate for certain loans used to satisfy the balances owed on contracts for deed.

H.F. 1542, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), defines wages when regulating benefits and contributions for unemployment compensation. S.F. 1113 is a bill carried by Sen. David Frederickson (DFL-Murdock) and abolishes the Minnesota humane society as a state agency and authorizes the formation of a state federation of county and district societies. The bill also provides for the powers and duties of county and district societies for the prevention of cruelty to animals. S.F. 326, authored by Sen. Keith Langseth (DFL-Glyndon), authorizes the executive council, under federal law, to repair state property damaged by major disaster. The bill also appropriates video gaming license fees to the commissioner of public safety for dispersal to municipalities. H.F. 1127, authored by Sen. Michael Freeman (DFL-Richfield), provides for the establishment of flexible gas utility rates for certain customers subject to effective competition.

H.F. 834, authored by Sen. Gerald Willet (DFL-Park Rapids), provides for the deposit of receipts from private forest management services into the forest management fund. S.F. 1345, authored by Sen. Linda Berglin (DFL-Mpls.), creates the office of ombudsman for mental health and sets forth the powers and duties of the office. S.F. 1008, authored by Darril Wegscheid (DFL-Apple Valley), regulates the laws governing chiropractic. The bill provides for review of services and fees, grounds for license revocation, and prescribes penalties. H.F. 1054, authored by Sen. Pat Piper (DFL-Austin), limits grants to sheltered workshops and provides for the use of community-based employment. S.F. 1202, authored by Sen. James Pehler (DFL-St. Cloud), establishes a siting process for a low-level radioactive waste facility.

S.F. 405, authored by Sen. Duane Benson (IR-Lanesboro), adds property containing Mystery Cave to Forestville State Park and provides for a Niagara Cave feasibility study. S.F. 1437, carried by Sen. John Brandl (DFL-Mpls.), creates an office of Science and Development within the Dept. of Energy and Economic Development for the review of state funded scientific and technologically related research. S.F. 858, authored by Freeman, directs the commissioner of health to regulate and license persons or entities enclosing, removing, or encapsulating asbestos. S.F. 1524 authored by Sen. Gregory Dahl (DFL-Coon Rapids) provides for various claims against the state. S.F. 612, authored by Berglin, establishes a review process for approval of additional exceptions to the nursing home moratorium.

### Bill prohibiting cigarette smoking gains

Members of the Senate gave final approval to a number of bills during the Friday session. H.F. 1283, sponsored by Sen. John Marty (DFL-Roseville), prohibits cigarette smoking in day care centers and health care facilities and prohibits the distribution of cigarette samples to the general public. An amendment offered by Sen. Duane Benson (IR-Lanesboro) instructing local school districts to develop courses on the dangers of cigarette smoking and requiring that an assessment test be conducted by the commissioner of human services, was defeated. Another amendment, offered by Marty, prohibiting the advertisement of cigarettes on state owned property, was also defeated.

H.F. 137, carried by Sen. Allan Spear (DFL-Mpls.), relating to criminal procedures providing for a procedure of ordering joint or separate trials for jointly charged defendants and allowing the prosecution to offer a rebuttal closing argument limited to correcting misstatements, was given final approval.

S.F. 1203, authored by Sen. William Luther (DFL-Brooklyn Park), reorganizes the Department of Agriculture, the Department of Energy and Economic Development, and the Department of Public Safety. The bill changes the name of DEED to the Department of Trade and Economic Development, transfers the Energy Division to the Public Service Department, establishes the World Trade Center Institute and changes the membership of its board, designates the Department of Jobs and Training as the administrative agency for juvenile justice and delinquency prevention purposes, and provides grants for youth and intervention programs.

S.F. 1112, also authored by Luther, establishes the Minnesota Amateur Sports Commission. According to Luther, with the creation of the commission, sponsorship of certain amateur sports events will be required and certain events will not be overlooked.

Several bills on the General Orders Calendar were given preliminary approval. S.F. 313, authored by Sen. Joe Bertram (DFL-Paynesville), provides for special motor vehicle license plates for former prisoners of war (POWs). According to Bertram, there are nearly 700 POWs in the state, 187 who have special license plates. Bertram said that the POWs would receive the special license plates free of charge but would have to pay the registration fee.

An amendment to the bill offered by Sen. Phyllis McQuaid (IR-St. Louis Park), provides special license plates for people who survived the Pearl Harbor attack. The amendment was adopted and those receiving the special plates will pay the \$10 license plate fee in addition to the registration fee.

Three bills authored by Sen. Lawrence Pogemiller (DFL-Mpls.), were recommended to pass. S.F. 1468 creates an international music and communication arts center task force, S.F. 1621 appropriates federal money for unemployment compensation administration, and H.F. 916 creates a productivity loan fund and requires that interest earned on the revolving fund for vocational rehabilitation of the blind be credited to the fund. H.F. 916 also makes changes to the duties and responsibilities of the commissioner of administration.

H.F. 894, carried by Sen. Jim Vickerman (DFL-Tracy), creates a new human services chapter establishing a single, unitary process for the determination of residence and financial responsibility for human services programs. An amendment to the measure was adopted stating that in some circumstances, a person who moves across the county line will be covered by the county the person moved from.

H.F. 1419, sponsored by Sen. Ember Reichgott (DFL-New Hope), changes procedures in cases before the Department of Human Rights and provides for the access to case files. H.F. 601, carried by Sen. Gregory Dahl (DFL-Coon Rapids), requires that money recovered by the state for forest fire fighting expenses be restored to the fund of origination. H.F. 542, sponsored by Sen. Charles Davis (DFL-Princeton), provides for an alternative method of recording town roads.

S.F. 1253, authored by Sen. Pat Piper (DFL-Austin), provides for the training of welfare fraud prosecutors and investigators, defines the amount of assistance indirectly paid, provides for joint trials, and changes the date of payment of certain periodic support to the assistance unit.

S.F. 867, authored by Sen. Gerald Willet (DFL-Park Rapids), creates the clean water partnership for the control of nonpoint source water pollution, provides for administration by the Pollution Control Agency, and requires a state water quality assessment.

H.F. 290, sponsored by Sen. Donna Peterson (DFL-Mpls.), establishes an office of social work, creates mental health and social work boards, and regulates the licensure of social workers. According to Peterson, the purpose of the legislation is to provide public protection and to set up ethical standards for social workers. An attempt to re-refer the bill to the Governmental Operations Committee for interim study was unsuccessful and the bill was given preliminary approval.

### **Bonding bill sent to conference panel**

The Senate took the bonding bill, S.F. 1520, from the table Friday afternoon and sent the measure to a House-Senate conference committee where conferees will work toward a compromise on the measure. The Senate had granted final passage to the bonding bill, Tues., May 12, but had to wait for the House bill.

The Senate bill proposes authorizes bonding of approximately \$450 million to fund projects ranging from the Reinvest In Minnesota (RIM) program to bridge improvements and capitol building projects around the state.

In other action Friday, the Senate repassed several measures that came from conference committees. S.F. 89 (Berg) amends the 1986 Farmer-Lender Mediation Act designed to assist farmers in restructuring farm debts. S.F. 184 (Spear) regulates commercial telephone solicitations by computers. S.F. 397 (Peterson, D.C.) reapportions certain election districts and S.F. 785 (Peterson, D.C.) eliminates the consent defense in parental kidnapping cases.

H.F. 230 (Stumpf) authorizes the combination of certain municipalities for election purposes and allows mail balloting in small towns not located in metropolitan counties. H.F. 854 (Frederickson, D.R.) clarifies the procedure and cost for filing foreign judgements. S.F. 1261 (Marty) provides for inspection of government buildings. S.F. 911 (Hughes) requires school districts to make instruction in Braille available to blind students.

The Senate concurred to amendments made by the House to Senate Files 170 and 971 (Pogemiller) and repassed the measures. S.F. 170 is a bonding recodification bill and S.F. 971 modifies financing operations of local governments and certain non-profit institutions.

The Senate did not adopt House amendments made to S.F. 1114 (Solon), a bill placing certain restrictions on liquor stores, and the

measure was returned to the conference committee.

Bills on Special Orders gaining final approval included the following. S.F. 1479 (Luther) establishes the Minnesota Council on Productivity and Quality. H.F. 141 (Luther) exempts certain directors of non-profit organizations from civil liability. H.F. 606 (Novak) creates a \$5 million petrofund and establishes a petroleum tank release clean-up program to be administered by the PCA and the Dept. of Commerce.

Senate Majority Leader Roger Moe (DFL-Erskine) declared an urgency and moved the following bills from General Orders to Special Orders. The bills subsequently received final passage. H.F. 1112 (Berglin) provides an interest charge on medical assistance overpayments and defines what constitutes a medical assistance vendor. Sen. Marilyn Lantry (DFL-St. Paul) added an amendment to the measure providing for state recovery of wrongful payments or overpayments to hospitals or medical assistance.

H.F. 949 (Luther) requires registration for health, buying and social referral clubs and requires bonding and alternative security requirements. S.F. 674 (Moe, D.M.) sets the salary ranges for employees of state departments. Sen. William Luther (DFL-Brooklyn Park) added an amendment raising the salary of the chair of the Waste Control Commission.

Two measures on the Senate Calendar, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley) gained final approval. S.F. 1008 provides for the regulation of the chiropractic profession and designates grounds for license revocation. S.F. 834 establishes a state advisory council on mental health and creates a mental health division within the Dept. of Human Services.

Finally, the Senate gave preliminary approval to four measures on the General Orders Calendar. H.F. 290 (Peterson, D.C.) establishing an office of social work and mental health boards and providing for the licensing of certain health professionals, was amended by Senate Minority Leader Duane Benson (IR-Lanesboro) to bring the provisions of the bill in line with the House version. Benson's amendment exempts nursing home, hospital and state and county health workers from the licensing requirement.

S.F. 1267 (Marty) expands the existing energy conservation loan program for schools to cities, towns and counties. S.F. 909 (Stumpf) establishes a state flood hazard mitigation grant program to prevent or mitigate flood damages. H.F. 735 (Chmielewski) removes a restriction on the issuance of off-sale liquor licenses in Kanabec County. The author added an amendment allowing certain towns to establish fire protection districts.

## **Saturday, May 16**

### **Pari-mutual tax sent to conference**

The Senate approved a charitable gambling measure Saturday which carried the \$5 million pari-mutual tax reduction for Canterbury Downs with it.

Sen. Robert Schmitz (DFL-Jordan) added his bill in the form of an amendment to Sen. Bob Lessard's (DFL-Int'l Falls) bill, H.F. 169, regulating lawful gambling including bingo parlors and pull-tabs.

Schmitz's bill, S.F. 724, was approved by the Senate Tues., May 2, but never made it out of the House tax committee to be heard by House members.

The Senate adopted the amendment on a 34-24 vote following a lengthy discussion on whether it was germane to the content of the lawful gambling measure. Supporters of the measure felt the amendment deserved to be heard by the House but Sen. Allan Spear (DFL-Mpls.) said that the bill was heard—in the tax committee—and was put to rest through the legislative process.

The measure, passed on a 37-25 vote, will go to a conference committee.

The Senate gave final passage to several measures that received preliminary approval Fri., May 15. Other Special Orders bills approved Saturday included the following. S.F. 1200 (Spear) encourages the Center for Urban and Regional Affairs Conflict and Change Project to study mediation in marriage dissolution cases. S.F. 384 (Dicklich) requires the commissioner of the Dept. of Jobs and Training to coordinate retraining programs for dislocated workers.

S.F. 862 (Wegscheid) requires training for school bus drivers. The author added an amendment which would retain tax exempt plates

# Floor Action

for non-profit organizations. S.F. 534 (Peterson, R.W.) makes privacy classifications of data as private, non-public and protected non-public.

H.F. 1351 (Stumpf) provides for the taking of elk when they are causing damages and appropriates \$6500 for administration of the program.

S.F. 167 (Lessard) increases the size of the Zoological Board and permits the governor to appoint new members. S.F. 90 (Novak) creates the office of pipeline safety and provides for its powers and duties.

The Senate also repassed several measures that had been dealt with in House-Senate conference committees. H.F. 638 (Dicklich) deals with cross-over primary election ballots and requires election judges to inform voters of certain laws. H.F. 841 (Jude) establishes penalties for by-passing and tampering with utility meters. S.F. 915 (Reichgott) extends the definition of harassment to following and stalking. The bill also prohibits intentional harassment by delivering a letter or object. S.F. 282 (Luther) permits regional railroad authorities to engage in certain activities. H.F. 1304 (Luther) regulates the cancellation of insurance agency contracts. H.F. 1209 (Peterson, D.C.) extends the definition of public nuisance.

Two bills were given preliminary approval. H.F. 1210 (Piper) regulates the licensure of programs for children and adults with disabilities and S.F. 156 (Luther) adopts an article of the Uniform Commercial Code governing leases.

## Drug testing bill gains final endorsement

At the Saturday afternoon session, members of the Senate granted final approval to H.F. 42, a bill regulating substance abuse testing of employees and job applicants. According to bill sponsor Sen. Florian Chmielewski (DFL-Sturgeon Lake), 15 percent of all employees are dependent on alcohol or drugs and 23 million Americans use drugs regularly. The bill, Chmielewski said, does not mandate testing, but sets testing policy "to prevent loss in the workplace."

The bill states that an employer may not request or require an employee or job applicant to undergo drug or alcohol testing unless the testing is done pursuant to a written drug and alcohol testing policy, that an employer may request or require a job applicant to undergo drug and alcohol testing if a job has been offered to an applicant, and that an employer may request or require an employee to undergo testing if the employer has reasonable suspicion that the employee is under the influence of drugs or alcohol or that the employee has violated the employer's work rules prohibiting the use, possession, sale or transfer of drugs or alcohol while the employee is on duty. Chmielewski also noted that the employer requesting or requiring the test must use the services of a testing laboratory licensed by the commissioner of health.

H.F. 1219, sponsored by Sen. Robert Schmitz (DFL-Jordan), authorizing Scott County to impose a tax on admissions to major amusement facilities, to be used for repair of the Bloomington Ferry bridge, was also given final passage. Sen. Duane Benson (IR-Lanesboro) offered an amendment to tax admissions only to Canterbury Downs. The amendment did not prevail and the bill was given final passage.

Members of the Senate adopted the conference committee report and gave final passage to H.F. 283. The bill, sponsored by Sen. Don Frank (DFL-Spring Lake Park), requires the confidentiality of certain matters before the Ethical Practices Board, raises campaign contribution disclosure limits, and changes the method of calculating campaign expenditure limits.

Other bills receiving final endorsement included S.F. 147. The bill, authored by Sen. Allan Spear (DFL-Mpls.), requires that persons convicted of a DWI or DWI-related offense undergo chemical use assessment, requires that courts order chemical use treatment for habitual DWI offenders, and imposes a chemical dependency assessment charge on persons convicted of a DWI or DWI-related offense and juveniles adjudicated for a DWI offense.

S.F. 1029, authored by Sen. John Marty (DFL-Roseville), establishes a program to provide communication-impaired people with devices enabling the use of telephones. S.F. 1524, authored by Sen. Gregory Dahl (DFL-Coon Rapids), relates to claims against the

state and provides for the payment of claims.

S.F. 865, also authored by Dahl (DFL-Coon Rapids), authorizes an assessment against public utilities to finance the state costs of controlling acid deposition. H.F. 1043, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for qualifications, terms, compensations, and duties of various metropolitan agencies.

Three measures authored by Sen. Lawrence Pogemiller (DFL-Mpls.) were given final passage. H.F. 916 creates the productivity loan fund and makes changes to the duties of the commissioner of administration. S.F. 1468 creates an international music and communications arts center task force. S.F. 1621 appropriates money received for unemployment compensation administration.

## Elections bill approved

The early evening hours of the Sat., May 16, floor session were dominated by debate over a bill making changes to state elections laws. H.F. 523, carried by Sen. William Luther (DFL-Brooklyn Park), changes voter registration procedures in order to, according to the bill, increase voter participation. The measure also provides for a computerized central registration system, requires that voter registration forms be placed in state income tax forms and booklets and provides for a combined voter registration, driver's license and identification form. According to Luther the bill takes a "proactive role in encouraging voter registration in Minnesota." However, Sen. Gary Laidig (IR-Stillwater) argued that perhaps the bill was too proactive and would require virtually all state employees to be a part of the voter registration process. Laidig proposed an amendment that would delete the section of the bill that provided for the proactive voter registration provisions. After extensive debate, the amendment failed to gain adoption. Sen. Mel Frederick (IR-Owatonna) offered an amendment to delete sections of current law providing for election day voter registration. The amendment also failed to gain adoption. The bill was given final passage on a vote of 40-17.

In other action early Saturday evening, members of the Senate granted concurrence and repassage to three measures. S.F. 456, authored by Sen. Allan Spear (DFL-Mpls.), changes the method of measuring "small amount of marijuana" from ounces to grams and clarifies the definition of cocaine. S.F. 1008, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), makes a number of technical changes to statutes governing the regulation of chiropractic. S.F. 1280, authored by Sen. Jim Vickerman (DFL-Tracy), the omnibus Dept. of Public Safety bill, makes a number of housekeeping amendments to laws governing the statute.

Two additional bills on the Senate Calendar were granted final passage. S.F. 867, authored by Sen. Gerald Willet (DFL-Park Rapids), creates the clean water partnership for the control of nonpoint source water pollution and provides for its administration by the Pollution Control Agency. The measure also requires a state water quality assessment and authorizes technical and financial assistance to local governments. H.F. 1326, sponsored by Sen. John Marty (DFL-Roseville), authorizes loans to cities, towns and counties, as well as school districts, for energy conservation investments.

## Senate passes bill granting rural, urban aid

The compromise package appropriating \$38.5 million for rural development initiatives and urban revitalization passed the Senate Saturday evening on a 52-12 vote. The measure, S.F. 1, authored by Senate Majority Leader Roger Moe (DFL-Erskine), includes \$12.5 million for the creation of the Greater Minnesota Corporation; \$9 million for neighborhood development in Minneapolis and St. Paul; and \$4 million for the Iron Range Resource Rehabilitation Board.

Under the bill, the Greater Minnesota Corporation could acquire equity investments in a product of private business, enter joint venture agreements with private corporations to promote economic development, and make matching grants for applied research and development to any state college, university or AVTI.

Another \$6 million would fund a challenge grant program, which would provide loans to new and expanding state businesses in rural areas of the state.

The \$4 million appropriation to the IRRRB would be used for

loans to businesses located in the Iron Range area. The bill also allows money in the 2002 fund to be used for investment in venture capital funds or enterprises.

To further help economic development efforts, the measure appropriates \$2 million to the Dept. of Natural Resources for a forestry grant and \$1 million for mineral diversification efforts.

In other action late Saturday evening, the Senate passed the conference committee report to S.F. 1114 (Solon) establishing rules regarding which items may be sold in exclusive liquor stores and regulating sales of fermented malt beverages. And, the Senate concurred to the House amendments to S.F. 465 and repassed the bill. The measure, authored by Sen. Jim Vickerman (DFL-Tracy) specifies that the Dept. of Transportation standards for trunk highways in scenic areas are not rules, provides for payment of administrative filing and plate fees, restricts unauthorized use of vehicles on public airport property, and sets qualifications for aircraft dealers to obtain licenses.

## Monday, May 18

### Waste management, workers' comp passed

Senators began the last day of the session by taking action on two major bills that had been designated Special Orders. The first, H.F. 794, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for a solid waste management policy and provides for a recycling marketing policy. According to Merriam, the bill makes a number of changes to laws dealing with solid waste management and encourages recycling efforts to lessen reliance on sanitary landfills. The measure also contains provisions for regulating the sale and disposal of motor oil and lead acid batteries and contains provisions for the management of household hazardous wastes. Discussion on the bill centered on an amendment, offered by Sen. Gary Laidig (IR-Stillwater), that would prohibit the siting of a landfill in a regional park. Merriam offered an amendment to the amendment that would prohibit the siting of a landfill on land designated as agricultural preserves as well. The Merriam amendment to the amendment was approved, but Laidig then withdrew his amendment. Merriam also offered a number of technical amendments as well as amendments requiring weigh scales at landfill facilities and allowing resource recovery facilities to be eligible for grants for air quality tests.

The second measure to generate debate, H.F. 913, makes numerous administrative changes to the workers' compensation laws. The bill, according to chief author Florian Chmielewski (DFL-Sturgeon Lake), is designed to streamline the administrative procedures in the appeals process to cut down on the amount of litigation. In his remarks, Chmielewski, indicated that the bill would eliminate the "triple track" appeal system and allow for expedited proceedings. The measure does not address changes in benefits, Chmielewski said, indicating that work in that area would take place during the interim. The bill was given final passage on a vote of 56-0.

In other action Monday morning, Senators approved the conference committee report on the parental leave bill and repassed the measure 44-18. According to Senate author Donna Peterson (DFL-Mpls.), the compromise agreed to by the conference committee provides for a six week parental leave for employees working more than 20 hours per week in companies with more than 20 employees. The compromise version of H.F. 234 also drops the provision allowing parents to use sick leave in order to stay home with a child.

Three other conference committee reports were also adopted and the bills were repassed. H.F. 1622, sponsored by Sen. Richard Cohen (DFL-St. Paul), provides for Court of Appeals and Crime Victims Reparation Board representation on the Sentencing Guidelines Commission and makes other technical changes to laws relating to the courts. H.F. 1073, carried by Sen. Carl Kroening (DFL-Mpls.), provides for restrictions on advertising by plumbers. S.F. 377, authored by Sen. John Marty (DFL-Roseville), changes the name of the Council for the Handicapped to the Council on Disabilities, makes other technical changes and provides for the reimbursement of child care expenses for persons serving on state boards.

Three bills on the Senate Calendar were also approved Monday

morning. H.F. 735, carried by Chmielewski, removes a restriction on the issuance of off-sale liquor licenses in Kanabec County. S.F. 156, sponsored by Sen. William Luther (DFL-Brooklyn Park), adopts an article of the Uniform Commercial Code that governs leases. H.F. 1210, carried by Sen. Pat Piper (DFL-Austin), regulates the licensure of programs for the care of children or of adults with certain disabilities.

### Amended ethanol bill approved

The Senate gave final approval to a bill promoting the use and manufacture of ethanol or agricultural grade alcohol in motor fuels Monday afternoon.

Sen. Dave Frederickson (DFL-Murdock) called his bill, H.F. 777, a "major compromise" after the language of the House version of the bill was adopted. The bill provides for payments of 15 cents per gallon to ethanol producers up until June 30, 1987 and provides for payments of 20 cents per gallon to producers between July 1, 1987 and June 30, 2000.

The Senate adopted an amendment offered by Sen. Jim Ramstad (IR-Minnetonka) removing a section of the bill that banned signs stating the absence of ethanol at gas stations.

Frederickson opposed the amendment stating that the provision prohibited negative advertising that adversely affects ethanol sales.

In other action, the Senate gave final passage to three conference committee reports. S.F. 830 (Pehler) regulates non-renewals and transfers of franchise leases and provides for civil liability in unfair franchise practices. S.F. 80 (Waldorf) provides for more flexibility in homeowners' insurance coverage and S.F. 593 (Berglin) clarifies pre-admission screening statutes and provides procedures for administration of the chemical dependency consolidation fund.

### Senate approves omnibus insurance bill

Other bills receiving final passage during the Monday session included S.F. 478, the omnibus insurance bill. The measure, sponsored by Sen. William Luther (DFL-Brooklyn Park), contains numerous provisions altering laws relating to insurance regulation in Minnesota. Some of the many provisions in the bill include regulating surplus lines insurance, providing continued group life, accident, and health coverage upon employee termination or layoff, requiring the treatment of pregnancy-related conditions in the same manner as other illnesses, regulating accident and health insurance, imposing surety bond or securities requirements on certain health benefit plans, and regulating Medicare supplement plan premium refunds.

H.F. 239, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), received final passage and requires that common school district elections be administered in the same manner as municipal elections, provides training for election judges, and sets absentee ballot procedures.

S.F. 596, authored by Sen. Douglas Johnson (DFL-Cook), provides for allocations among governmental units increasing the assessed valuation of commercial-industrial property within the taconite tax relief area and provides a formula for the distribution of additional revenues to municipalities within the taconite tax relief area.

H.F. 899, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), appropriates \$400,000 to establish the Fond du Lac Higher Education Center. H.F. 943, sponsored by Sen. James Metzner (DFL-South St. Paul), creates a consumer education account through the attorney general's office. S.F. 587, authored by Luther allows ambulance driver's to be included in peace officer pension benefit plans. S.F. 463, also authored by Luther, makes changes in statutes regulating securities, financial planning, and investment planners and brokers.

### Conference Committee reports approved

Senators embarked upon the remaining six hours of the Legislative Session by taking action on numerous conference committee reports as the reports became available. The customary flurry of activity that marks the last day of the regular session began in earnest during the early evening hours Monday. A variety of bills gained repassage during the closing hours. S.F. 451, authored by Sen. Donna Peterson (DFL-Mpls.), increases the fines for improper use of handicapped parking spaces and specifies that handicapped

parking certificates may be issued for permanent and temporary disabilities. H.F. 1374, sponsored by Sen. William Luther (DFL-Brooklyn Park), removes the current numerical limit on assistant attorneys general and sets it at 35. H.F. 141, also carried by Luther, eliminates or limits the liability of directors of non-profit organizations. H.F. 706, sponsored by Sen. Richard Cohen (DFL-St. Paul), clarifies recent changes to the juvenile code and makes several technical changes. H.F. 532, sponsored by Sen. Gary DeCramer (DFL-Ghent), establishes standards for the safe operation of motorized bicycles. H.F. 1159, carried by Sen. Darril Wegscheid (DFL-Apple Valley), prohibits the transfer of assets between public pension funds and makes other changes in pension law. S.F. 1323, authored by Sen. John Marty (DFL-Roseville), is the revisor's bill clarifying state law in regard to recent court decisions and making technical statutory changes.

H.F. 291, authored by Sen. Donna Peterson, is a Dept. of Commerce housekeeping measure making changes in statutes governing banks and financial institutions. H.F. 1015, also carried by Peterson, provides for the enforcement of sanctions for violation of the BWI laws. H.F. 1043, carried by Wegscheid, makes technical changes to the statutes governing metropolitan commissions. H.F. 601, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), specifies that payments recovered for fighting forest fires be deposited in the fund of origination rather than the general fund. H.F. 303, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), is the omnibus agriculture bill and makes appropriations for various agricultural programs including pseudorabies testing, a dairy sheep research project and a study on the effects of stray voltage on livestock. H.F. 1351, also carried by Stumpf, authorizes the taking of elk and provides for payments for crop damage. H.F. 391, authored by Sen. Tad Jude (DFL-Maple Grove), increases the penalties for distributing controlled substances to a minor, for using a minor to distribute controlled substances and sets for the purity and measurement standards for controlled substances.

Four bills on the Special Orders Calendar also were granted final passage. H.F. 123, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for an increased sum (\$10,000) payable to a surviving spouse by affidavit and allows nursing home care costs to be a claim of the same class as medical and hospital expenses in probate proceedings. H.F. 257, sponsored by Sen. Don Moe (DFL-St. Paul), requires the State Board of Investments to adopt an investment policy, authorizes certain investments by the board and provides that certain state employees who are eligible to retire are eligible for state-paid insurance benefits. H.F. 859, also carried by Moe, clarifies and corrects miscellaneous provisions relating to the Dept. of Finance.

The fourth measure, H.F. 463, sponsored by Sen. Darril Wegscheid, relating to public pensions was amended, by a delete everything amendment, to include the contents of the bill providing for the licensure and regulation of private detectives and security guards. The title was then changed and Sen. Lawrence Pogemiller (DFL-Mpls.), was added as chief author.

### Conference report excludes parimutuel tax cut

A Senate proposal giving Canterbury Downs a \$5 million tax break and increasing the size of the purses failed to win House support and was excluded from a conference committee report making changes in the state's charitable gambling laws. As a result, the track will not get the tax break it was seeking.

Last Saturday, the Senate attached the parimutuel tax cutting provision to a bill raising the limits on the amount of money organizations may use to cover expenses for charitable events and increasing the number of events that may be conducted per week. House conferees would not accept the parimutuel tax provision, and it was removed. The conference committee report, H.F. 169, passed the Senate on a 46-6 vote. The measure was sponsored by Sen. Bob Lessard (DFL-Int'l. Falls).

Several other conference committee reports were passed by the Senate Monday evening. They include: S.F. 841 (Novak) appropriating an additional \$3 million for the Reinvest in Minnesota (RIM) program; H.F. 794 (Merriam) enhancing recycling efforts and encouraging better handling of hazardous waste; H.F. 1283 (Marty) prohibiting smoking in day care centers and health care facilities; H.F. 1542 (Chmielewski) making housekeeping changes in unemployment compensation laws; S.F. 757 (Piper) requesting the University of Minnesota to find more humane testing procedures for animal research; H.F. 1112 (Berglin) allowing the Dept. of Human Services to charge interest on installment payments of money to be recovered from ineligible providers and allowing the department to examine personal medical records; H.F. 1170 (Jude) prohibiting mandated leave of absences for state government officers or employees upon becoming a candidate for public office; H.F. 534 (Peterson, R.W.) clarifying private government data classification.

The Senate also passed S.F. 69 (Berg) establishing a commercial raising program in Minnesota and H.F. 713 (Marty) making technical, clarifying changes in bills passed by the Legislature this session.

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