

88, February 12

# Briefly

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## The Minnesota Senate Week in Review

## February 12, 1988

### 75th Session reconvenes

The Senate convened at 2:00 p.m., Tuesday, February 9, 1988, to open the second half of the 75th Legislative Session.

Following a prayer by the Senate chaplain, Reverend Philip Weiler, the Senate approved opening day resolutions adopted by the Rules and Administration Committee.

Seventy-seven bills were read for the first time and referred to the appropriate committees.

Senate Majority Leader Roger Moe (DFL-Erskine) informed the members that the Senate and House would meet in a joint session, Thursday, February 11, to observe a presentation by an actor portraying Thomas Jefferson. The performance has been seen by several other state legislatures, Moe said.

### Governor delivers State of the State

Minnesota is in good shape, and will continue to improve, Governor Rudy Perpich said during the State of the State speech Tuesday, February 9. Perpich departed from tradition by delivering the speech in Winona, Minnesota, rather than at the State Capitol in St. Paul.

Perpich said that Minnesota has a long-range plan for job creation that involves four main areas: improving our educational system; expanding applied research and development programs; reforming the state's tax system and increasing the efficiency of government services; and emphasizing strong environmental protection.

This "blueprint" for job creation will carry Minnesota into the next century, Perpich said, and he is looking forward to working with the Legislature to enact the plan.

### Panel discusses district reorganization

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), discussed studying school district reorganization during its meetings on Monday, February 8, and Wednesday, February 10.

Monday, committee members looked at a delete everything amendment to S.F. 663. Pehler, the bill's author, said that the amendment establishes an advisory committee to study school district reorganization and enumerates organizations to be represented on the committee. The amendment also indicates which areas advisory committee members should explore, provides deadlines for its findings and establishes two technical task forces.

About ten people representing educational groups testified at the meeting. Although speakers mentioned specific considerations for legislators to take into account when discussing the establishment of a committee and district restructuring, no one voiced opposition to the amendment.

On Wednesday, Chuck Sederberg, from the University of Minnesota Department of Educational Policy and Administration, told the committee that he supported the idea of establishing an advisory committee to examine school district reorganization. Reorganization has been a recurring issue, he said, and could result in a better and more equal educational system in Minnesota.

Committee members also heard testimony from Department of Education representative Bob Buresh. Because of the desirability of local involvement, state mandated reorganization may not be the best approach, Buresh said. He recommended that the state continue to provide districts with various options to meet agreed upon standards; if the local units do not meet them, the state could become increasingly involved.

### Workers' comp system reviewed

The Employment Subcommittee on Injured Workers met Monday, February 8, to hear reports from Leslie Altman, a Workers' Compensation Court of Appeals judge and Duane Harves, chief administrative law judge of the Minnesota Office of Administrative Hearings. Each speaker presented statistical data on workers' compensation cases handled by the legal offices.

Elliot Lang, deputy legislative auditor coordinator, also spoke, offering highlights of a comprehensive report on the workers' compensation system which will be presented in its entirety early this session. The 1987 Legislature commissioned the study.

The subcommittee is chaired by Sen. A.W. "Bill" Diessner (DFL-Afton).

### Legislative priorities outlined

On Monday, February 8, the Minnesota Association of Townships and the Association of Minnesota Counties presented their 1988 legislative goals and priorities to the Local and Urban Government Committee, chaired by Sen. Robert Schmitz (DFL-Jordan).

David Fricke, executive director of the Minnesota Association of Townships, outlined ten resolutions which included the repeal of the sales tax imposed on government purchases.

Association of Minnesota Counties counsel, Peggy Addicks, listed transportation funding and property tax reform as county priorities.

### Panel hears economic forecast

Finance Department officials Nellie Johnson, deputy finance commissioner, and Dr. Tom Stinson, state economist, told Taxes and Tax Laws Committee members, Wednesday, February 10, that the state can expect to see 1.9 percent of real economic growth starting in the last quarter of 1989. Economic growth will continue into the first quarter of 1989, Stinson predicted.

The financial summary was based on a forecast report prepared by the Finance Dept. in January.

Stinson said that in light of the October stock market crash, Minnesota fared better economically than the nation on average. However, he cautioned that the state forecast, along with the national economic picture, is filled with uncertainty.

The Finance Dept. expects that the general fund will have \$223 million in surplus at the close of the biennium on June 30, 1989. Stinson pointed out that the money has been allocated to a budget reserve fund, the Greater Minnesota Corporation budget and to certain other expected expenditures and adjustments following this legislative session.

The committee, chaired by Sen. Douglas Johnson (DFL-Cook), will meet Wednesday, February 17, to hear the Dept. of Revenue present the governor's budget proposals.

### Computer crimes discussed

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met formally Wednesday, February 10, to discuss two measures. The first, which had not yet been introduced, would remove the words "emotional harm" in setting a standard of proof in abusive child restraint and abusive child discipline cases. The second measure, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), sets forth new language in detailing crimes involving the use of computers. The measure, S.F. 1553, was laid over for purposes of amendment.

# SENATE COMMITTEE ASSIGNMENTS

## AGRICULTURE (16)

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

## 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

## ECONOMIC DEVELOPMENT AND HOUSING (12)

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

## EDUCATION (22)

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

## ELECTIONS AND ETHICS (10)

**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

## 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

## ENVIRONMENT AND NATURAL RESOURCES (17)

**CHAIRMAN:** Lessard  
**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

## 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  
 Solon  
 Spear  
 Taylor  
 Waldorf  
 Wegscheid

## GENERAL LEGISLATION AND PUBLIC GAMING (9)

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

## GOVERNMENTAL OPERATIONS (12)

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

## 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

## LOCAL AND URBAN GOVERNMENT (10)

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

## 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

## 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 Lantry  
 Lessard  
 Luther  
 Merriam  
 Moe, D.M.  
 Moe, R.D.  
 Novak  
 Pehler  
 Peterson, R.W.  
 Purfeerst  
 Renneke  
 Schmitz  
 Solon  
 Spear  
 Taylor

## 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 Davis  
 Berglin Diessner  
 Bernhagen Frank  
 Bertram Frederick  
 Gustafson  
 Johnson, D.J.  
 Jude  
 Laidig  
 Novak  
 Pehler  
 Peterson, D.C.  
 Peterson, R.W.  
 Pogemiller  
 Reichgott  
 Schmitz  
 Stumpf

## 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

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 15, 1988

Education Committee, Chair: James Pehler

8:30 AM Room 15 Capitol

Agenda: S.F. 663-Pehler: Establishing school district reorganization task force; testimony by Bob Wedl, deputy commissioner, Department of Education. S.F. 1021-Wegscheid: Requiring secondary public schools to offer courses in family life education.

Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

Agenda: S.F. 1644-Marty: Revisor's bill. S.F. 1645-Marty: Revisor's bill. S.F. 1738-Peterson, D.C.: Criminal sexual conduct consent defense. S.F. 1725-Diessner: Health agency access to hazardous waste facility records. S.F. 1582-Berglin: Child support enforcement of judgements.

Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

Agenda: S.F. 1542-Wegscheid: Requiring agricultural contracts to comply with the plain language contract act. S.F. 1622-Stumpf: Clarifying which debtors are eligible for mediation.

Economic Development and Housing Committee, Chair: Don Frank

12:00 PM Room 15 Capitol

Agenda: Overview of Minnesota Job Skills Partnership by Roger Hughes, executive director. Overview of Minnesota Center for Community Economic Development by Melva Radtke, executive director.

Local And Urban Government Committee, Chair: Robert Schmitz

12:00 PM Room 107 Capitol

Agenda: S.F. 1574-Schmitz: City of Savage. S.F. 1581-Peterson, D.C.: City of Minneapolis. S.F. 1607-Peterson, D.C.: City of Minneapolis. S.F. 1608-Pogemiller: City of Minneapolis.

Senate will be in session at 2:00 PM

Education Committee Education Aids Division, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

Agenda: Ken Zastrow, Department of Education, will present the Financial Condition of Minnesota Schools and Fund Transfer Report. Chuck Coskran, Department of Education, will present Integrated Data Base Update.

Legislative Commission on Pensions and Retirement, Chair: Rep. Wayne Simoneau

4:00 PM Room 10 SOB

Agenda: Report from the Commission Actuary. Commentary from fund administrators on the 1987 actuarial valuations.

### Tuesday, February 16, 1988

Employment Committee, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

Agenda: S.F. 710-Chmielewski: clarifying the powers of the State Fund Mutual Insurance Company. S.F. 1733-Diessner: Workers compensation recodification of Minnesota Statutes, Chapter 176. Commissioner Ray Bohn will present "Report to the Legislature on Minnesota's Workers' Compensation System."

Governmental Operations Committee, Chair: Donald Moe

8:00 AM Room 15 Capitol

Agenda: Confirmation of commissioners. S.F. 433-Wegscheid: Local mandates.

Transportation Committee, Chair: Clarence Purfeest

8:00 AM Room 112 Capitol

Agenda: S.F. 1592-Purfeest: Transportation funding proposal.

Public Utilities and Energy Committee, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

Agenda: Confirmation of Norma McKanna to Public Utilities Commission. S.F. 1549-Marty: Minimum standards for fluorescent lamps. S.F. XXXX-Marty: Furnace safety.

Environment and Natural Resources Subcommittee on

Environmental Protection, Chair: Gregory Dahl

1:00 PM Room 112 Capitol

Agenda: S.F. 412-Luther: Creating a lien against real property for expenses incurred by agencies or political subdivisions. S.F. XXXX-Dahl: Providing criminal penalties for violation of certain statutes, rules, or permits relating to pollution control.

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

1:00 PM Room 15 Capitol

Agenda: S.F. 1617-Berglin: Group family day care building codes. S.F. 1508-Taylor: Child care sliding fee.

Finance Committee, Chair: Gene Merriam

3:00 PM Room 123 Capitol

Agenda: Department of Finance presentation of the revenue forecast and the governor's capital budget and operating budget.

### Wednesday, February 17, 1988

Education Subcommittee on Indian Education, Chair: Gary DeCramer

8:00 AM Room 15 Capitol

Agenda: S.F. 1747-DeCramer: American Indian Language and Culture Act.

General Legislation and Public Gaming Committee, Chair: Marilyn Lantry

8:00 AM Room 107 Capitol

Agenda: S.F. 727-Lessard: Relating to lotteries. S.F. 937-Diessner: Relating to lotteries.

Education Committee, Chair: James Pehler

9:00 AM Room 15 Capitol

Agenda: Governor's early childhood education proposals.

Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

Agenda: S.F. XXXX-Berg: Resolution memorializing the Commodity Futures Trading Commission. S.F. 1548-Berg: Regulating short sales of grain.

Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

Agenda: S.F. XXXX-Pogemiller: Judicial selection. S.F. XXXX-Peterson, D.C.: Social worker-client privilege.

Environment and Natural Resources Committee, Chair: Bob Lessard

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1623-Stumpf: Designating the white-tailed deer as the state mammal. S.F. 1591-Kroening: Cancellation of sewer loan repayments. S.F. 1754-Pogemiller: Hazardous substance loan fund. S.F. 890-Bernhagen: Use of dogs in taking bear.

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

1:00 PM Room 15 Capitol

**Agenda:** Governor's Blue Ribbon Commission on Minnesota Veterans Homes: Terry Bock, Director of Management Analysis Division, Department of Administration. Bills that passed subcommittee on February 16, 1988. S.F. 1650-Samuelson: Eligibility for calculations of GA and AFDC. S.F. 1657-Samuelson: Ombudsman MI-MR. S.F. 1628-Berglin: Ombudsman MI-MR. S.F. 1588-Vickerman: Immunization amendments. S.F. 1676-Frederickson, D.J.: Definition of occupational therapists for M.A. S.F. 1663-Lantry: Nurse-Midwives.

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

Don Samuelson

3:00 PM Room 125 Capitol

**Agenda:** Income maintenance forecast.

## Thursday, February 18, 1988

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** Commissioner Ray Bohn, Minnesota Department of Labor and Industry, will present "Report to the Legislature on Minnesota Workers' Compensation System".

**Governmental Operations Committee, Chair: Donald Moe**

8:00 AM Room 15 Capitol

**Agenda:** S.F. 722-Hughes: Investment in Northern Ireland.

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** S.F. XXXX-Reichgott: Emission inspection of vehicles in seven county metropolitan area.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** Confirmation of Governor's reappointment of Michael Hatch as Commissioner of the Minnesota Department of Commerce. H.F. 18-Dahl: Used car lemon bill. S.F. XXXX-Solon: Establishing procedure for safe deposit box search for will. S.F. 1646-DeCramer: Requiring insurance coverage for cleft palate and lip repair for newborns.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**

10:00 AM Room 15 Capitol

**Agenda:** To be announced.

**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**

12:30 PM Room 107 Capitol

**Agenda:** To be announced.

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

**Education Committee Higher Education Division, Chair: Gregory Dahl**

3:00 PM Room 15 Capitol

**Agenda:** S.F. 1228-Morse: Allowing the student council member of the HECB to vote. S.F. 151-Bertram: Restoring tuition exempts at AVTI's for Vietnam era veterans. S.F. XXXX-Pehler: Task force on child care provisions within post-secondary education.

## Friday, February 19, 1988

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

7:00 AM Depart from Capitol

**Agenda:** Capital budget site visits.

**Education Committee Education Aids Division, Chair: Randolph**

Peterson

8:00 AM Room 15 Capitol

**Agenda:** Discussion of 1988 Education Aids Conversion Bill.

**General Legislation and Public Gaming Committee, Chair: Marilyn**

Lantry

8:00 AM Room 17 Capitol

**Agenda:** S.F. 1430-Dahl: Establishing the fire safety cigarette act.

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

10:00 AM Room 107 Capitol

**Agenda:** To be announced.

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

Peterson

10:00 AM Room 15 Capitol

**Agenda:** To be announced.

**Health and Human Services Committee Income Maintenance and**

**Welfare Reform Division, Chair: Marilyn Lantry**

1:00 PM Room 15 Capitol

**Agenda:** Welfare reform legislation for 1988.

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## The Minnesota Senate Week in Review

February 19, 1988

### Gas tax increase gains

The Transportation Committee, Tuesday, February 16, approved a three-cent per gallon gasoline tax increase and a yearly transfer of 35 percent of monies collected through the Motor Vehicle Excise Tax (MVET) to fund the state's highway and transit projects.

Senator Clarence Purfeerst (DFL-Faribault), chair of the committee and sponsor of S.F. 1592, called the measure a "reasonable compromise" among supporters of transferring all money raised through the MVET and those who opposed raising the gas tax. If the measure is passed, the gas tax will be raised to 20 cents per gallon starting April 1, 1988. Fuels used by railroads and barges are raised to 17 cents per gallon in the bill.

Department of Transportation Commissioner Leonard Levine said the measure will lend stability to highway and transit funding.

Representatives from county associations, timber industries and others who rely on highways for transporting goods and for transit programs also spoke in favor of the bill, although some said their preference would be to transfer all MVET funds and not raise the gas tax.

### Lottery bill stalled

Enabling legislation for a state run lottery failed in a four to four voice vote in the General Legislation and Public Gaming Committee, Wednesday, February 17. One panel member abstained from voting.

The committee, chaired by Senator Marilyn Lantry (DFL-St. Paul), heard two bills designed to lay the framework for a lottery should the question be approved by voters on the 1988 general election ballot. The bill that, if passed, would put the question of a lottery before the voters is laid over in the Rules and Administration Committee.

S.F. 727, sponsored by Senator Bob Lessard (DFL-Int'l. Falls), was the only bill acted upon. The other bill, S.F. 937, authored by Senator A.W. "Bill" Diessner (DFL-Afton), was heard, but the author did not move the bill.

Lessard's bill, a delete-everything amendment to a bill heard last year, contains provisions for a state run lottery and requires that at least 45 percent of gross proceeds be used for prizes.

Diessner's measure provided for a privately run lottery operating under state guidelines. The bill stipulated that at least 55 percent of gross proceeds would be returned to ticket buyers in prize money. The bill also contained advertising practice restrictions.

Both bills made lottery proceeds exempt from state sales and income taxes.

Farm Bureau and Citizen League representatives and several Senators spoke against both bills, although the Citizens League felt that a privately run lottery would be the preferable alternative if a lottery is approved. Points of concern include: whether it is appropriate for the state government to encourage gambling; a lottery would compete with charitable gambling and private entertainment industries for entertainment dollars; a lottery is an unstable form of revenue for the state; and that it is primarily people with lower incomes who would buy the majority of lottery tickets.

### Floor sessions held

Senators met in two brief floor sessions Monday, February 15 and Thursday, February 18. Several resolutions were adopted Thursday including one acknowledging the cooperation of the citizens and officials of Winona in hosting the governors state of the state

address and one changing the composition of two Senate Committees. Sen. Richard Cohen (DFL- St. Paul), was named to the Elections and Ethics Committee and Sen. Jim Vickerman (DFL-Tracy) was appointed to the Veterans Committee.

In addition, S.F. 1575, authored by Sen. Charles Berg (DFL-Chokio), was designated a Special Order for immediate consideration by the Senate. The bill clarifies a provision enacted last year requiring senior citizens to purchase fishing licenses. According to Berg, the bill needed to be passed by the legislature prior to March 1, 1988, because conflicting provisions in the law prevents the department from collecting the fishing license fees from senior citizens. An amendment, offered by Sen. Bob Decker (IR-Park Rapids), eliminating the requirement that seniors purchase licenses failed to gain approval. An amendment, offered by Sen. Douglas Johnson (DFL-Cook), authorizing a fifty cent fee for trout and salmon stamps issued separately from fishing licenses was adopted. The bill was granted final passage.

### Panel hears emission control plan

The Transportation Committee heard a bill, Thursday, February 18, establishing a motor vehicle inspection program, designed to cut down on air pollution in the seven-county metro area caused by carbon monoxide emissions. Supporters of the bill say the guidelines in the measure match federal Environmental Protection Agency air quality standards.

S.F. 1783, sponsored by Sen. Ember Reichgott (DFL-New Hope), establishes an emission control program to be administered by the Minnesota Pollution Control Agency (PCA) and involves annual inspections of passenger vehicles' air pollution and noise control systems.

Former Senator Gerald Willet, PCA Commissioner, said carbon monoxide damage is a major health issue and the bill would help bring about maximum air quality.

An amendment, offered by committee chair Sen. Clarence Purfeerst (DFL-Faribault), made transit buses, diesel trucks and motorcycles exempt from the bill's provisions.

The committee adopted the amendment but did not act on the bill due to time constraints.

### Committee deadlines set

The Rules and Administration Committee met Monday, February 15, and approved a resolution setting the deadlines for the session. Under the resolution, midnight Thursday, March 10 will be the first committee deadline. That means that Senate committees must finish hearing bills originating in the Senate and House committees must finish hearing bills originating in the House by that date. The second deadline is midnight, Friday, March 18. That means that Senate committees must complete work on bills originating in the House and that House committees must finish work on bills originating in the Senate. Neither deadline applies to the Senate Committees on Finance and on Taxes and Tax Laws, or the House Committees on Appropriations and on Taxes. After Wednesday, March 30, neither body shall act on bills other than those contained in conference committee reports, messages from the other body, messages from the governor, or reports from the Senate Rules and Administration or the House Committee on Rules and Legislative Administration.

In addition, members of the committee, chaired by Sen. Roger Moe (DFL-Erskine), approved a personnel subcommittee report naming Joanne Sellner acting director of Senate Counsel and Research.

# Committee Capsule

## Agriculture

### Plain language bill approved

The Agriculture Committee met on Mon., Feb. 15 to discuss S.F. 1542 sponsored by Sen. Darril Wegscheid (DFL-Apple Valley) and S.F. 1622 sponsored by LeRoy Stumpf (DFL-Plummer).

According to Wegscheid, S.F. 1542 is a bill requiring agricultural contracts with an amount payable below \$500,000 to be written in plain language that is "easily understandable by all parties entering into the contract." The bill was approved with an amendment made by Stumpf changing the effective date to Jan. 1, 1990.

Stumpf sponsored S.F. 1622, a bill clarifying that debtors who own and lease 60 acres or more are eligible for mediation regardless of how much money they make from their agricultural products. S.F.1622 was also approved by the committee and sent to the full senate. The committee is chaired by Sen. Charles Davis (DFL-Princeton).

### Restrictions on commodity market proposed

Sen. Charles Berg (DFL-Chokio) presented two items to the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), Wed., Feb. 17.

S.F. 1548 and Senate Resolution 102, sponsored by Berg, address restricting speculative short sales and short sale orders of an agricultural commodity in oversupply.

Specifically, S.F. 1548 calls for the margin requirement for speculators and those placing orders in Minnesota for a short sale of an agricultural commodity in oversupply to be 400 percent of the regular margin requirements. According to Berg, the purposes of the bill is to create a market place for "legitimate" commodity trade.

Senate Resolution 102 advises the Commodity Futures Trading Commission to adopt rules to restrict speculative short sales and short sale orders of an agricultural commodity in oversupply.

Both S.F. 1548 and the Senate Resolution were approved by the committee. S.F. 1548 was re-referred to the Judiciary Committee, and Senate Resolution 102 was advanced to the full Senate.

## Commerce

### Used lemon car bill gains

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved a bill, Thurs., Feb. 18, that provides warranty protections for consumers of used automobiles that meet certain criteria. If an automobile has less than 36,000 miles, the warranty will be in effect for 60 days or 3,000 miles, whichever comes first. If the automobile has between 36,000 and 75,000 miles, the warranty period is 30 days or 1,000 miles, whichever comes first.

Automobiles valued at less than \$3,000, those that have diesel engines, those weighing in excess of 9,000 pounds, custom-built or modified vehicles, those with more than 75,000 miles, those not meeting federal emission standards and those 8 years of age or older are exempt from the provisions of the bill.

H.F. 85, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), also provides for the licensing of used auto dealers.

Representatives of the Minnesota Auto Dealers Association and the Northland Independent Dealers Association spoke in support of the bill at a Consumer Protection Subcommittee hearing, Thurs., Feb. 12, chaired by Dahl. The measure was forwarded to the Commerce Committee.

The Commerce Committee approved two other measures Feb. 18. S.F. 1646, sponsored by Sen. Gary DeCramer (DFL-Ghent) clarifies language pertaining to health insurance coverage for children age 18 and under who have cleft lip and cleft palate conditions. The bill states that if orthodontic services resulting from the above conditions are covered under a dental plan, then the dental plan and not the patient's medical plan has primary responsibility for coverage. The bill was sent to the Senate floor.

S.F. 1768, authored by Solon, establishes a procedure for safety deposit box companies to open a deceased person's safety deposit box in order to find a will. The company must then turn the will over to a probate court. The measure was also sent to the floor.

## Omnibus Insurance Bill reviewed

The Commerce Subcommittee on Insurance, chaired by Sen. William Luther (DFL-Brooklyn Park), met Tues., Feb. 16, to examine S.F. 1845, an omnibus insurance bill sponsored by Luther.

Commerce Commissioner Michael Hatch reviewed the 68 sections of the bill, noting which provisions were controversial or non-controversial. Included in the bill are new provisions regarding continuing education requirements for insurance agents. Hatch said the changes reflect a consensus among those required to attend courses to maintain licensure that the courses, as currently offered, are less than adequate. Additional hearings on the bill will be scheduled.

## Economic Development and Housing

### Overview of economic activity

The Senate Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), met Mon., Feb. 15, to listen to an overview of Minnesota Job Skills Partnership (MJSP) activities and an overview of community economic development activities in the state.

Roger Hughes, executive director of MJSP, highlighted three areas MJSP tries to have an impact on: building the educational capacity of the state system, having an economic impact in the community, and creating economic opportunities for individuals. There was a brief discussion of MJSP's future and its similarity to the governor's proposed Employment and Training Fund.

Testimony on community development was heard from Judy Schmidt of the Houston, Minnesota, City Council and Barbara Grove, executive director of Cuyuna Range Development, Inc. They discussed economic activity and growth in their communities.

## Education

### Officials present management plan

Bob Wedl, deputy commissioner of the Department of Education, presented the department's organizational management plan at the Fri., Feb. 12, meeting of the Education Committee. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), also heard a review of the plan by Fred Grimm from the Dept. of Administration.

The plan was developed in response to a mandate from the 1987 Legislature, Wedl said. The Legislature required that the plan include methods for effectively implementing legislative educational policies; methods of increasing direct services to school district educators to help them meet legislative requirements and the needs of students; and methods of using regional organizations to increase these services, Wedl said.

The plan incorporates input from the Dept. of Education staff members and a 15-member advisory team, Wedl said. The purposes of the plan include: to describe the Dept. of Education system for implementing and recommending policy; to identify the most important policy initiatives currently being enacted by the Dept. of Education and how they are being carried out; to identify the organization of the Dept. of Education regarding structure, function and the allocation of resources; to describe the direct services to school districts the department is providing and services delivered through working with regional organizations; to identify how direct services to school districts will be increased and how regional organizations will be used to increase services; and to identify objectives which the Dept. of Education is currently addressing to improve the department internally.

Following Wedl's testimony, Grimm presented an evaluation of the plan conducted by the Management Analysis Division of the Dept. of Administration. According to the evaluation, the plan "does provide a general sense of direction and allocation of resources, but more information is required to be able to determine if the resources are utilized efficiently."

While the evaluation focuses on possible improvements in the Dept. of Education's plan, it also commends the department for attempting to identify its primary customers, forming a task force to

help in the development of the plan, and its efforts to increase direct services to school districts.

### **Committee examines curriculum requirements**

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), heard testimony Mon., Feb. 15, from Bob Wedl, deputy commissioner of the Dept. of Education, on elementary and secondary curriculum monitoring and compliance.

The questions Dept. of Education and State Board of Education officials really need to look at, Wedl said, are what should students have access to in order to live and learn in the twenty-first century? what are the curriculum requirements? where are the schools in meeting those needs? what are the discrepancies between districts? what should the requirements be? and how should districts be organized to meet those needs?

Schools were monitored during the 1985-86 school year, Wedl said, and those not in compliance with state board curriculum standards were required to file a Corrective Action Plan. According to Wedl, data gathered during the 1986-87 school year indicated that instances of noncompliance had dropped in almost every subject.

Elementary schools were not included in some of the calculations because a new elementary curriculum rule took effect during the 1986-87 school year, Wedl said.

### **Indian education bill approved**

Members of the Education Subcommittee on Indian Education approved S.F. 1747, authored by subcommittee chair Sen. Gary DeCramer (DFL-Ghent), Wed., Feb. 17.

The bill expands the American Indian language and culture program, authorizes grants for American Indian schools, and provides for programs to assist American Indians become teachers. The bill also states that the Legislature recognizes the unique educational and culturally-related academic needs of American Indians.

Subcommittee members heard testimony from a number of interested parties, none of whom opposed the bill.

### **Members okay commission on reorganization**

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved S.F. 663, authored by Pehler, Wed., Feb. 17. The bill was re-referred to the Finance Committee.

The bill establishes a commission on education reorganization, outlines membership of the commission, and mandates certain items commission members must consider. The commission must report its findings to the State Board of Education by Jan. 1, 1989, and to the education committees by Feb. 1, 1989.

Before approval, members adopted an amendment suggested by Sen. Donna Peterson (DFL-Mpls.), adding another member to the commission.

Committee members also briefly discussed S.F. 1021, authored by Sen. Darril Wegscheid (DFL-Apple Valley), and adopted an author's amendment to the bill. The bill requires secondary public schools to offer a course in family life education and requires students to pass a family life education course before graduation.

### **Governor's budget proposals reviewed**

Ron Hackett, from the Dept. of Finance, presented the Governor's budget proposals for post-secondary education to the Education Committee Higher Education Division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), Wed., Feb. 17.

The general fund recommendations for fiscal year 1988-89 include: for the Higher Education Coordinating Board, about \$6.8 million for operations; for the Greater Rochester Area University Center, about \$1.5 million for operations and about \$73,000 for debt service for recommended projects; for the State University System, about \$3.9 million for debt service for recommended projects; for the Community College System, about \$1.5 million for debt service for recommended projects; for the Vocational-Technical System, about \$2.1 million for operations and about \$3.9 million for debt service for recommended projects; and for the University of Minnesota, about \$23.1 million for operations and about \$4.2 million for debt service for recommended projects.

The totals are about \$33.5 million for operations; about \$13.6 million for debt service for recommended projects; and a grand total of about \$47 million.

## **Education Aids Panel hears report, update**

Members of the Education Aids Division of the Education Committee heard testimony Mon., Feb. 15, on the financial condition of Minnesota schools, on fund transfer requests from school districts, and on an integrated data base system in Minnesota. The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), also briefly previewed the agenda for the session.

Ken Zastrow, from the Dept. of Education, presented information on the financial condition of school districts as of June 30, 1987, and on fund transfer requests from districts. The districts' financial condition improved, Zastrow said, and for the most part was more favorable on June 30, 1987, than it had been a year before. Zastrow said that 21 fund transfer requests were made between 1985 and 1987.

## **Employment**

### **Workers' comp report heard**

A "Report to the Legislature on Minnesota's Workers' Compensation System" provided the focus for discussion at the Tues., Feb. 16, meeting of the Employment Committee. The report, presented by Commissioner Ray Bohn, of the Dept. of Labor and Industry, is the result of the work done by a team of researchers who undertook the task of conducting a comprehensive analysis of the workers comp system. The analysis was mandated by the 1987 Legislature.

According to the report, workers' compensation premiums doubled in Minnesota between 1983 and 1986 while premiums in the rest of the nation increased 54 percent. Part of the increase in premium growth was the result of payroll growth. In addition, the report cited an increase in workers' compensation rates. In 1984, Minnesota had the fourteenth highest rates out of 39 states with comparable data; in 1987 Minnesota ranked fourth highest among the 39 states. A third major finding of the report was that medical, rehabilitation and indemnity benefits represent 80 percent of the costs of the system and that permanency claims account for the largest portion of the benefit costs.

Bohn also highlighted some of the recommendations for changes in the workers' comp system that he has submitted to the Legislature. Members of the committee and staff members from the department engaged in an intensive question and answer discussion of specific portions of the report. Committee members, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), are scheduled to continue their examination of the report.

In other action, the panel approved two measures and sent them on to the full Senate. S.F. 1710, authored by Chmielewski, clarifies the powers of the State Fund Mutual Insurance Company. S.F. 1733, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), directs the Revisor of Statutes to recodify the chapter of the law relating to workers' compensation and to prepare a bill to implement the recommendations for recodification by Jan. 15, 1990.

Members of the panel devoted most of the day Thurs., Feb. 18, to further examination of the workers compensation report prepared by the Dept. of Labor and Industry. The morning session concentrated almost entirely on the section of the report dealing with rehabilitation. The discussion on rehabilitation focused on areas of controversy and on the source and date of the various graphs and charts contained in the report.

## **Environment and Natural Resources Fish license clarification bill okayed**

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved a bill, Fri., Feb. 12, which clarifies that senior citizens who fish will be required to purchase a fishing license for \$4 and that seniors are exempt from the fishing surcharge for trout and salmon stamps.

The Senate approved passage of a similar measure during the 1987 session but the language contained in the original bill made the provision unenforceable. Larry Shannon, DNR Division of Fish and Wildlife director, told the committee that the added license fee will raise about \$400,000 for the state and will also bring in \$300,000 in reimbursement fees from the federal government.

Sen. Charles Berg (DFL-Chokio) sponsored the bill, S.F. 1575, which was sent to the Senate floor.

# Committee Capsule

## Panel hears plan to impose lien

The Subcommittee on Environmental Protection met Fri., Feb. 12 and Tues., Feb. 16, to discuss a measure which would allow the state to place a lien on property that requires the state to spend money on hazardous waste cleanup.

Sen. William Luther (DFL-Brooklyn Park), sponsor of S.F. 412, said the measure is needed to recoup funds from owners who have seen the value of their property enhanced as the result of state cleanup efforts.

Proponents of the bill spoke Feb. 12. Don Arnosti of the Clean Water Action Project said the measure would close up the loophole that allows owners of land which has been cleaned to sell the land without repaying the state for cleanup expenses. Cleanups are paid out of the Superfund, established for toxic waste cleanups, and a gas storage tank cleanup fund, both of which received state appropriations last year.

Michael Kanner, who currently heads the Minnesota Pollution Control Agency's Tanks and Spills Division, and former manager of the Superfund, said he anticipates an increase in property values following a cleanup. He also cited examples of cleanup costs, including one site clean up in Duluth which may cost the state as much as \$3 million. Owners of the property have filed bankruptcy.

John Jackson, representing the Minnesota Bankers Association, opposed the measure at the Feb. 16 meeting. Under the bill's provisions, a lending institution could be regarded as a "responsible party," thereby liable, and that the bill may discourage financing for certain projects, Jackson said.

Sen. Gregory Dahl (DFL-Coon Rapids), chair of the subcommittee, said the panel must concern itself with the question of which innocent third party incurs the cost for the cleanups - taxpayers or lending institutions. After several hours of discussion the panel concluded that the legislation will affect only businesses which have filed for bankruptcy. The subcommittee will hold more hearings on the bill.

Also on Feb. 16, the subcommittee approved S.F. 1674, sponsored by Dahl. The bill, which prescribes criminal penalties for water pollution violations, was forwarded to the Environment and Natural Resources Committee.

## Minneapolis bonding bill approved

The City of Minneapolis gained approval, Wed., Feb. 17, for a \$3.5 million bonding program to acquire land and complete the Great River Road Development Project, but lost through an amendment a section that would have forgiven the city's repayment on a \$7 million waste water treatment loan.

Sen. Carl Kroening (DFL-Mpls.), sponsor of S.F. 1591, said forgiveness of the loan would have corrected the disparity in the amounts given to Minneapolis and the amounts given to other cities for waste water treatment projects. The bill was forwarded to the Finance Committee.

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved a bill making the white-tailed deer the state mammal despite a recurring argument that the timber wolf should be given the title. The bill, S.F. 1623, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), also stated that an art print of a white-tailed deer would be sold and that proceeds would be used to enhance deer habitats. The bill was sent to the Senate floor.

## Finance

### State revenue forecast presented

Dr. Tom Stinson, state economist, presented the state revenue forecast through the end of the biennium, June 30, 1989, to the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Tues., Feb. 16.

According to Stinson, the controlled forecast does not predict a recession; however, there could be one because of less optimism about the economy and the unpredictability of economic activity. He expects a lethargic economy with a low growth rate during the first quarter with an improvement in the second quarter and even better outlook in the third and fourth quarters of the biennium.

There is a 50 percent chance that the controlled forecast is right.

Deputy Commissioner Nellie Johnson and Assistant Commissioner Brian Roherty gave an overview of the governor's budget and legislative program following Stinson's forecast presentation. They highlighted proposed expenditures and revenue sources including an increase in the University of Minnesota's appropriation by \$23.1 million to support Commitment to Focus and related costs, and deferring the restoration of property tax recognition adjustments.

## Governmental Operations

### Senators discuss legislative mandates

Members of the Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), discussed S.F. 433, authored by Sen. Darril Wegscheid (DFL-Apple Valley), Tues., Feb. 16.

The bill relates to mandates given to local units of government by the Legislature. S.F. 433, Wegscheid said, is meant to refine the relationships between state and local government. If a decision is made locally, then it is appropriate for a local property tax to reflect that decision; however, if the state makes a decision, it may not always be best reflected in a local property tax, Wegscheid said.

In addition, the bill creates an independent third party within the state auditor's office to oversee state mandates, Wegscheid said.

Robert Orth, from the Metropolitan Inter-County Association, also spoke to the committee. The bill is an attempt by local government to deal with the question of what happens to the relationship between levels of government when revenue is down, Orth said. The national government has sent state government the message that states must absorb more costs, and some of that has trickled down to local governments, he said.

Orth stressed that the bill is not an attempt to interfere with the Legislature's right to mandate action by local units of government. The bill requires that bills mandating action include an attachment with information regarding revenue for the mandate and the legislation's intended goals, among other things.

Nellie Johnson, deputy commission from the Dept. of Finance, voiced concerns about the bill, including the appropriations clause, which is open-ended as the bill now reads.

Committee members also recommended Senate confirmation of Sandra Hale, commissioner of the Dept. of Administration; Lani Kawamura, commissioner of the Dept. of State Planning; and Nina Rothchild, commissioner of the Dept. of Employee Relations.

### Panel hears testimony on investments

The Governmental Operations Committee heard testimony on S.F. 722, authored by Sen. Jerome Hughes (DFL-Maplewood), Thurs., Feb. 18. The bill limits investments by the State Board of Investment in companies that do business in Northern Ireland.

The bill requires that the State Board of Investors consider whether corporations doing business in Northern Ireland have taken substantial action toward the achievement of the MacBride principles.

The principles include increasing representation of persons from underrepresented religious groups at all levels on its workforce; publicly advertising all job openings and making special recruiting efforts to attract applicants from underrepresented religious groups; and banning provocative religious or political emblems from the workplace. If adhered to the principals would greatly ease discrimination against the Catholic minority in Northern Ireland.

Howard Bicker, executive director of the State Board of Investment, told the committee, chaired by Sen. Donald Moe (DFL-St. Paul), that the board does not have an official position. However, he said parts of the legislation were unclear and would be difficult to administer.

Father Sean McManus, National Director of the Irish Caucus, spoke in favor of S.F. 722. The conflict in Northern Ireland is not a Protestant-Catholic one, he said; if people of another religious affiliation replaced the Catholics, the problems would be the same. Catholics have been the victims of discrimination in Northern Ireland since the 1920s, McManus said, and U.S. dollars have been supporting that discrimination since the 1940s.

Howard Burns, a district official for the Amalgamated Transport

and General Workers Union, spoke to the committee in opposition to the bill. The union opposes discrimination, he said, but believes that what Northern Ireland needs is more investment and more jobs. Hassles lead companies to settle elsewhere, he said.

## Health and Human Service

### Child mental health care bill advances

The Health and Human Service Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), met on Fri., Feb. 12. The first order of business was to reconfirm the appointment of state commissioners Sandra Gardebring, Dept. of Human Services; Sister Mary Madonna Ashton, Dept. of Health; and Orville Pung, Dept. of Corrections. The committee commended them for their excellent work.

Following the confirmations, three bills were discussed.

S.F. 1584, sponsored by Berglin, advocates the creation of an adolescent and child care mental health service system excluded from last year's mental health care legislation. According to Barbara Amran of Family Focus, there are not the services in the community to adequately deal with the adolescents and children that have been identified as emotionally disturbed and/or severely behaviorally disordered. S.F. 1584 carries an appropriation of \$95,000 for the administration of the proposed adolescent and child care mental health service system.

S.F. 1594, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), provides for technical amendments to last session's human service licensing legislation.

S.F. 1583, also sponsored by Berglin, calls for the exclusive use of blind vendors at the state university and community college systems, exempting the University of Minnesota, the DNR, and the technical vocational schools. According to Charles Hamilton, Dept. of Jobs and Training, the exclusive use of blind vendors is important because there is no longer a priority by these institutions to contract with the vendors.

All of the bills were approved by the committee. S.F. 1583 was re-referred to the Education Committee, S.F. 1584 was re-referred to the Finance Committee, and S.F. 1594 was sent on to the Senate floor.

### Child care discussed

Discussion centering around group family day care building codes was the focus of the Health and Human Services Subcommittee on Social Services and Government Administration. Subcommittee chair, Sen. Pat Piper (DFL-Austin), called the meeting to order on Tues., Feb. 16 to address child care issues. The first bill discussed was S.F. 1617 sponsored by Sen. Linda Berglin (DFL-Mpls.).

According to Berglin, S.F. 1617 deals specifically with building code regulations for group family day care homes. Berglin explained that group family day care homes cannot comply with the new E-3 building code requirement imposed on them; therefore, S.F. 1617 proposes the creation of a task force to study building code standards for family and group day care homes and temporarily reinstate residential building code requirements for group family day care homes. The task force would be required to report back to the Legislature by Jan. 1, 1989.

Testimony from day care providers, day care users, day care licensers, and health and safety officials was heard by the committee. All testifying agreed that the safety of the children in the group family day care homes is the greatest priority.

S.F. 1617 was approved by the committee and re-referred to the full Committee on Health and Human Services.

A brief discussion of S.F. 1508 sponsored by Sen. Glen Taylor (IR-Mankato) and S.F. 1832 sponsored by Sen. Allan Spear (DFL-Mpls.) followed the approval of S.F. 1617. Taylor and Spear highlighted their bills on child care. Both bills will be discussed further at a later date in the Social Services and Government Administration Subcommittee.

### Presentation on veterans homes

Terry Bock, director, management analysis division, Dept. of Administration, addressed the Health and Human Services Committee on Wed., Feb. 17. He delivered the governor's Blue Ribbon Commission (BRC) Report on Minnesota Veterans Homes.

According to Bock, the veterans homes are troubled institutions that are placing residents at risk, and are still being managed as "old soldiers homes." The BRC has concluded, according to Bock, that

the two primary responsibilities of Veterans Affairs, to serve an advocacy function for the veterans and to run a health care facility, have been incompatible. Bock reviewed a summary of recommendations put forth by the BRC and the Dept. of Administration (DOA). Included among the recommendations is the controversial governance of the veterans homes. The BRC and the DOA advocate the creation of a five-year independent board of directors, appointed by the governor, to oversee the homes.

Chuck Harding, representing the American Legion in Ramsey County, spoke against the report. "It's not accurate, not approved by the veterans, and it's a piece of junk." Harding explained that the true fault is in the staffing. Without adequate staffing, he said, the veterans administration could not manage the homes. They tried desperately to manage the homes without staff and without money, according to Harding.

Other items discussed during the committee meeting, chaired by Sen. Linda Berglin (DFL-Mpls.), were: S.F. 1676, sponsored by Sen. David Frederickson, (DFL-Murdock), expanding the definition of "qualified occupational therapists" for the purposes of medical reimbursement; S.F. 1617, sponsored by Berglin, addressing group family day care building codes; S.F. 1588, sponsored by Sen. Jim Vickerman (DFL-Tracy), proposing immunization amendments; S.F. 1628, sponsored by Berglin, revising and clarifying the duties of the mental retardation ombudsman.

All of the bills were approved by the committee. S.F. 1676 was re-referred to the Finance Committee, S.F. 1617 was re-referred to the Governmental Operations Committee, S.F. 1588 was referred to the full senate, and S.F. 1628 was re-referred to the Judiciary Committee.

## Judiciary

### Unreasonable child restraint standard change okayed

Members of the Judiciary Committee met Fri., Feb. 12, and voted to approve the appointment of Stephen Cooper as Commissioner of the Human Rights Department. Panel members, chaired by Sen. Allan Spear (DFL-Mpls.), also approved two measures and began discussion on two additional bills.

S.F. 1643, authored by Sen. Ember Reichgott (DFL-New Hope), eliminates the need to show "emotional harm" in proving unreasonable restraint or malicious punishment of a child. According to Reichgott, prosecutors are finding that proving emotional harm is too high a standard because of the difficulty in demonstrating cause and effect between a particular incident and subsequent emotional harm. The bill was approved and sent to the Senate floor. The second bill gaining committee endorsement, H.F. 320, carried by Sen. Don Samuelson (DFL-Brainerd), makes a section of the statutes requiring toilet facilities in public restrooms gender neutral. The measure was also sent to the Senate floor.

A bill increasing the penalty for selling devices intended to interfere with cable television service was laid over for further amendment. The measure, S.F. 1694, sponsored by Reichgott, would make it a felony to intentionally sell or rent a device with the purpose of stealing cable service. Discussion on the measure centered on definitions of the objects that cannot be sold or rented with the purpose of making an unauthorized connection. Reichgott stressed that the measure was intended to increase the penalties for those engaged in the sale or rental of the devices and not for those who purchased the devices. However, committee members laid the bill over in order to clarify the language.

The second measure discussed and then laid over for further debate was S.F. 1668. The measure, authored by Spear, allows merchants to file for civil damages in shoplifting cases. Under the measure, a person who steals merchandise or cash from a store is liable to the owner for the retail price, plus exemplary damages of up to \$300 and reasonable costs and attorneys' fees. In addition, the bill specifies that a criminal action is not a prerequisite for a civil action and specifies the procedure for a store to demand payment for the liability without commencing an action.

### Theft of cable service bill gains

The Judiciary Committee met Mon., Feb. 15, and endorsed a bill increasing the penalties for theft of cable television services in certain circumstances. The measure, S.F. 1694, authored by Sen. Ember Reichgott (DFL-New Hope), specifies that whoever sells or

rents, or advertises for sale or rental any device or plans designed to make unauthorized connection to a licensed cable communications systems is guilty of a felony if the person receives money in exchange for the sale or rental of the device or plans.

Members of the committee, chaired by Sen. Allan Spear (DFL-Mpls.), also approved two "revisor's bills." S.F. 1644 and 1645, both sponsored by Sen. John Marty (DFL-Roseville), correct erroneous, ambiguous, omitted and obsolete references and text in the statutes.

In addition, S.F. 1738, authored by Sen. Donna Peterson (DFL-Mpls.), was also approved. The bill clarifies the definition of "consent" in the criminal sexual conduct statutes to mean a voluntary uncoerced manifestation of a present agreement to perform a particular sexual act with the actor. Earlier in the statutes "actor" is defined as the person accused of criminal sexual conduct.

A bill authorizing the inspection of waste facility records by an authorized county employee was also approved by the committee. The measure, S.F. 1725, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), further specifies that the county employee need not obtain a subpoena in order to inspect the facilities records.

All of the above measures were sent to the full Senate.

## Judicial selection bill gains

Members of the Judiciary Committee devoted most of the Wed., Feb. 17, meeting to discussion of a bill establishing a procedure for filling judicial vacancies in district courts and the court of appeals. The measure, S.F. 1814, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), establishes a commission on judicial selection, describes the composition of the commission, requires that appointing authorities ensure that permanent members of the commission include women and minorities.

Under the bill the commission would consist of seven at-large members appointed by the governor, one of whom would serve as chair; two at-large members appointed by a majority of the justices of the supreme court, two district members in each judicial district appointed by the governor and two district members appointed by the chief judge in each judicial district. In addition, the bill places limits on the number of attorneys on the commission. The bill then specifies the procedure the commission would use to fill a judicial vacancy.

Committee debate focused primarily on two issues: defining the problem the bill is designed to solve and the constitutional question of whether or not the legislature would be usurping the authority of the executive branch by prescribing in statute the procedure for filling judicial vacancies. Pogemiller argued that the bill is designed as a "good government" bill in order to prevent future problems in the selection process and that the constitution gives the governor the power to appoint judges "in a manner prescribed by law."

Committee members approved the bill on a divided voice vote.

The panel, chaired by Sen. Allan Spear (DFL-Mpls.), also continued discussion on 1582, the bill providing for child support enforcement. However, committee members requested more information on parts of the bill dealing with federal conformance with the result that the measure was laid over.

## Local and Urban Government

### Minneapolis bills gain

Three bills making relatively minor changes in the laws concerning the city of Minneapolis were approved by members of the Local and Urban Government Committee at the Mon., Feb. 15, hearing. In addition, the panel, chaired by Sen. Robert Schmitz (DFL-Jordan), approved a measure designed to resolve ambiguity in the ownership of a tract of land in the city of Savage. The measure, S.F. 1574, authored by Schmitz, makes a legislative declaration that a certain tract of land in the city of Savage on which the Savage municipal liquor store is located remains the property of the city in "fee simple." According to Schmitz, the bill is needed because there is doubt as to the actual ownership of the land.

The panel also endorsed the three bills relating to the city of Minneapolis. S.F. 1607, authored by Sen. Donna Peterson (DFL-Mpls.), provides for the appointment, compensation and liability of specific city employees and authorizes the city to pay the police chief as ordinary salary a cash pension contribution in excess of the deferred compensation fund limit. S.F. 1581, also sponsored by Peterson, changes the name of the Minneapolis city comptroller to

the city finance officer to reflect that two offices have been combined to create the office of finance officer. S.F. 1608, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes a cross reference in the economic development laws relating to the city of Minneapolis.

## Public Utilities and Energy

### PUC appointment approved

The appointment of Norma McKanna to the Public Utilities Commission gained the approval of the Committee on Public Utilities and Energy at the Tues., Feb. 16, hearing.

In addition, the panel, chaired by Sen. Ronald Dicklich (DFL-Hibbing) began discussion on two bills. The first, S.F. 1549, authored by Sen. John Marty (DFL-Roseville), sets minimum energy efficiency standards for fluorescent lamp ballasts by prohibiting the sale, with some exceptions, of ballasts that do not meet standards after Jan. 1, 1989. The measure was laid over for further work because several committee members expressed reluctance to place technical electrical specifications in statute, arguing instead that the promulgation of rules would be more appropriate.

The second measure, S.F. 1737, also sponsored by Marty, requires that safety tests for leaks of poisonous gases be conducted when residential furnaces are serviced or repaired. The bill further specifies that if tests are not conducted the owner must be notified that no tests were made. The bill was laid over for further discussion.

### Furnace testing bill gain

Public Utility and Energy Committee members met Thurs., Feb. 18, and approved an amended version of the furnace safety testing bill discussed at the previous hearing. The bill, S.F. 1737, authored by Sen. John Marty (DFL-Roseville), was amended to simply require repairs or inspections of furnaces to include safety tests for the existence of carbon monoxide or provide notice that safety tests were not conducted. The bill was re-referred to the Commerce Committee.

Committee members, chaired by Sen. Ronald Dicklich (DFL-Hibbing), also approved a bill shifting the operation of the Telecommunications Access for Communications Impaired Persons fund from the telephone companies to the Dept. of Human Services. The measure, S.F. 1809, sponsored by Marty, made other technical changes to the law enacted last year. The bill was re-referred to the Finance Committee.

Finally, the panel began discussion on a third bill sponsored by Marty. S.F. 1819 authorizes tenants in single-metered residential buildings to pay for gas and electric utilities and deduct the payments from rent due and sets up a procedure for dealing with situations in which one tenant fails to pay for utilities. The bill was laid over for further discussion.

## Taxes and Tax Laws

### Governor's budget plan heard

Members of the Taxes and Tax Laws Committee heard Gov. Rudy Perpich's 1988 Supplemental Budget, Wed., Feb. 17.

Dept. of Finance Commissioner Tom Triplett, Dept. of Revenue Commissioner John James and Assistant Revenue Commissioner John Tomlinson outlined the governor's education, job creation, research, environmental protection and property tax reform initiatives.

Although the budget proposal calls for no across-the-board tax increases, Senators questioned the governor's support of a three-cent per gallon gasoline tax increase and statement of support for increased highway funding in the proposal, yet made no line item in the budget for highway funding.

Triplett said the budget proposal calls for \$112 million in new spending but that the expenditures will raise \$113 million in new revenues.

The property tax reform initiatives, as presented by Tomlinson, cut property taxes by \$200 million in 1989 and 1990; provide tax relief to high tax rate areas; cut business taxes by an average 10 percent; simplify the property tax system by reducing the number of classifications; continue the homestead credit and agricultural credits; and improve accountability in the system.

## Veterans Committee

### Commission's recommendations reviewed

The Veterans Committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), heard testimony Tues., Feb. 16, on the findings of a special gubernatorial commission that examined the Veterans Homes. Commission Chair Gus Donhowe spoke to the committee.

Commission recommendations include changing the mission of the homes to focus on quality health care and the development of

geriatric research and teaching capabilities. The commission also recommended transferring control of the homes to an independent board for five years.

Basically, Donhowe said, the question is one of control. If the homes are controlled by veterans service organizations, Minnesotans will not get the kind of home they want, he said.

The homes are state institutions and belong to the people of Minnesota, Donhowe said. It is unusual to conclude that state institutions should be controlled by veterans service organizations, he said.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 22, 1988

Education Committee, Chair: James Pehler

8:30 AM Room 15 Capitol

Agenda: S.F. 1021-Wegscheid: Requiring secondary public schools to offer courses in family life education. Pending subcommittee action: S.F. 1228-Morse: Allowing student member of the HECB to vote; S.F. 1705-Pehler: Task force on child care provisions within post-secondary education; S.F. 151-Bertram: Restoring tuition exemptions at AVTI's for Vietnam era veterans. Governor's early childhood education initiatives.

Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

Agenda: S.F. 1651-Morse: Creating a laboratory services account in the state treasury. S.F. 1743-Berg: Farmer-Lender mediation rules; repealing language relating to food handlers license fees. S.F. 1786-Berg: Clarifying authority of the board of animal health regarding diseased animals.

Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

Agenda: S.F. 1816-Purfeerst: Living will.

Senate will be in session at 2:00 PM

Education Committee Education Aids Division, Chair: Randy Peterson

3:00 PM Room 15 Capitol

Agenda: S.F. 1616-Frederickson, D.J.: Maximum effort. S.F. 1729-Peterson, D.C.: Adult literacy. S.F. 1734-Pehler: Age 21 Initiative. S.F. XXXX-Peterson, R.W.: Conversion bill. S.F. 1929-Bertram: Holdingford.

Environment and Natural Resources Subcommittee on

Environmental Protection, Chair: Gregory Dahl

3:00 PM Room 107 Capitol

Agenda: S.F. 1836-Solon: Appropriating money to the commissioner of finance for loan to the western Lake Superior sanitary district. S.F. 1763-Wegscheid: Imposing a fee to be collected by counties for the disposal of mixed municipal solid waste.

Finance Committee State Departments Division, Chair: Carl Kroening

3:00 PM Room 125 Capitol

Agenda: Overview of agencies' operating and capital budget requests.

Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg

7:00 PM Room 112 Capitol

Agenda: S.F. 1573-Benson: Removing an age minimum from the law governing issuance of turkey licenses. S.F. 1752-Berg: Prescribing procedures for commissioner's orders. S.F. 1561-Frederickson, D.R.: Prohibiting the use of meat in baiting bears. S.F. 1735-Merriam: Restitution for wild animals killed or injured.

Health and Human Services Subcommittee on Health and Health

Financing, Chair: John Brandl

7:30 PM Room 107 Capitol

Agenda: S.F. 1861-Pehler: HMO insurance. S.F. XXXX-Brandl:

Financial solvency for HMO's.

### Tuesday, February 23, 1988

Governmental Operations Committee, Chair: Donald M. Moe

8:00 AM Room 15 Capitol

Agenda: S.F. 1784-Moe, D.M.: State Board of Investment housekeeping bill. S.F. 1218-Laidig: Relating to land survey documents preservation. S.F. 573-Merriam: Relating to emergency rules.

Transportation Committee, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

Agenda: S.F. 1606-Beckman: Change in trunk highway system. S.F. 1593-Purfeerst: Transportation Advisory Board. S.F. 1587-Vickerman: Vending machines in rest areas. S.F. 1564-Frederickson, D.R.: Regulating the operation of motorized bicycles.

Commerce Committee, Chair: Sam Solon

10:00 AM Room 112 Capitol

Agenda: S.F. 1708-Dahl: Establishing procedure for expulsion of members from credit unions. H.F. 464-Luther: Increasing maximum lifetime benefit for health insurance. S.F. 203-Freeman: Expansion of interstate banking.

Public Utilities and Energy Committee, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

Agenda: S.F. 1819-Marty: Shared meter provisions. S.F. 1751-Marty: Regulatory reform.

Veterans Committee, Chair: Joe Bertram

10:00 AM Room 107 Capitol

Agenda: Finish testimony on the Blue Ribbon Commission report and Department of Administration management analysis study. Post-traumatic stress disorder perspective.

Environment and Natural Resources Subcommittee on Public

Lands and Waters, Chair: Steven Novak

1:00 PM Room 112 Capitol

Agenda: S.F. 1731-Merriam: Designating Willard Munger Trail. S.F. 1536-Johnson, D.J.: Adding Hill-Annex Mine to state park system. S.F. 1427-Reichgott: Surface water regulation on Twin Lake in Robbinsdale. S.F. 1632-Knaak: Erosion and sediment control in metro-area. S.F. 517-Stumpf: Develop state land to produce wild rice. S.F. 1328-Dicklich: Fencing unused mine pits. S.F. 1543-DeCramer: Watershed recodification.

### Wednesday, February 24, 1988

Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

Agenda: S.F. 1823-Samuelson: Termination of a watershed district and deleting bond requirement. S.F. 1686-Frederickson, D.J.: Requiring grading of dry edible beans; prescribing delivery charge. S.F. 552-Bertram: Investigating and promoting use of state agriculture commodities.

Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 580-Wegscheid: Collateral sources, structured settlements, intangible losses. S.F. 679-Waldorf: Comparative fault, joint and several liability. S.F. 1675-Spear: Future damages.

**Legislative Audit Commission, Chair: Rep. Philip Riveness**  
12:00 PM Room 200 SOB

**Agenda:** Proposal by legislative auditor to review University of Minnesota remodeling of President's home, Eastcliff. Workers compensation report. Problems in auditing quasi-government agencies.

**Environment and Natural Resources Subcommittee on Fish and Wildlife, Chair: Charles Berg**  
1:00 PM Room 112 Capitol

**Agenda:** S.F. 1689-Stumpf: Closing date for fishing season on the Rainy River. S.F. 1621-Stumpf: Allowing mowing of ditches at different times in northern/southern areas of state. S.F. 1568-Vickerman: Providing an experimental open season for angling two weeks earlier in certain areas. S.F. 1748-Berg: Providing experimental fox hunting trespass exceptions; experimental 23-day pheasant season; and experimental mourning dove season.

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

**Agenda:** S.F. 1650-Samuelson: Eligibility GA-AFDC. S.F. 1663-Lantry: Nurse-midwives. Bills that pass subcommittee on February 22, 1988. S.F. 1869-Berglin: Comprehensive mental health. S.F. 1680-Berglin: Health care ERISA.

**Finance Committee Agriculture, Transportation and Semi-States Division, Chair: Keith Langseth**  
2:00 PM Room 200 SOB

**Agenda:** Joint meeting with House Division to discuss Red Lake Tribal Archives Project.

**Finance Committee Health and Human Services Division, Chair: Don Samuelson**  
3:00 PM Room 125 Capitol

**Agenda:** Department of Corrections and Department of Health budget review.

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

**Agenda:** Governor's property tax proposal presented by John Tomlinson.

**Education Committee Higher Education Division, Chair: Gregory Dahl**  
7:30 PM Room 107 Capitol

**Agenda:** S.F. XXXX-Pehler: AVTI governance.

**Judiciary Committee, Chair: Allan Spear**  
7:30 PM Room 112 Capitol

**Agenda:** Same as morning agenda.

**Thursday, February 25, 1988**

**Governmental Operations Committee, Chair: Donald M. Moe**  
8:00 AM Room 15 Capitol

**Agenda:** Employee relations departmental bill and related compensation and personnel matters.

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

**Agenda:** S.F. 1121-Stumpf: Salvaged vehicle titles. S.F. 1761-Marty: Providing that operating a motor vehicle at speed of 85 m.p.h. or more is careless driving.

**Commerce Committee, Chair: Sam Solon** 10:00 AM Room 112 Capitol

**Agenda:** S.F. 1570-Spear: Mortgage banking regulation bill. S.F. XXXX-Luther: Mortgage banking regulation bill. S.F. 1844-Dahl: Relates to regulation of car dealers.

**Public Utilities and Energy Committee, Chair: Ronald Dicklich**  
10:00 AM Room 15 Capitol **Agenda:** S.F. 1751-Marty: Regulatory reform.  
**Senate will be in session at 2:00 PM**

**Education Committee Education Aids Division, Chair: Randy Peterson**  
3:00 PM Room 15 Capitol and 7:00 PM Room 112 Capitol

**Agenda:** S.F. XXXX-Peterson, R.W.: Omnibus education aids bill. The following portions will be discussed: Educational effectiveness program; Governor's scholar program; AIDS prevention; Community service initiative; and "Supplemental" aid increase. S.F. 1747-DeCramer: Indian education bill.

**Finance Committee State Departments Division, Chair: Carl Kroening**  
3:00 PM Room 125 Capitol

**Agenda:** Overview of agencies' operating and capital budget requests.

**Friday, February 26, 1988**

**Finance Committee Education Division, Chair: Gene Waldorf**  
7:00 AM Depart from Capitol

**Agenda:** Trip to St. Cloud and Little Falls for presentation on telecommunications.

**General Legislation and Public Gaming Committee, Chair: Marilyn Lantry**  
8:00 AM Room 107 Capitol

**Agenda:** S.F. 1815-Dicklich: Prohibiting transportation of certified animals in open vehicles. S.F. 1744-Berg: Potentially dangerous dogs. S.F. 308-Merriam: Return of lost animals; prohibiting transfer for research.

**Local and Urban Government Subcommittee on Land Use, Zoning and Planning, Chair: Betty Adkins**  
8:30 AM Room 200 SOB

**Agenda:** S.F. 1759-Adkins: Planning and zoning authority and procedures.

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

**Agenda:** S.F. 1904-Piper: Board of Medical Examiners. S.F. 335-Brandl: Physical therapy.

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## The Minnesota Senate Week in Review

February 26, 1988

### Bills gain preliminary passage

Members of the Senate began the processing of bills at the Monday, February 22, floor session. Two measures were given preliminary passage during the Committee of the Whole. S.F. 1643, sponsored by Sen. Ember Reichgott (DFL-New Hope), eliminates the need to show "emotional harm" in proving unreasonable restraint or malicious punishment of a child. And S.F. 1573, sponsored by Sen. Robert Schmitz (DFL-Jordan), specifies ownership of a particular piece of land in the city of Savage.

Legislation declaring the full support of the endeavors of the United States Soccer Federation to bring the World Cup to the United States also was approved during the floor session.

The Thursday, February 25, session was also devoted primarily to taking up bills on the General Orders Calendar. Six measures were granted preliminary passage. S.F. 1594, authored by Sen. Marilyn Lantry (DFL-St. Paul), makes numerous technical changes to the Human Services Licensing Act passed during the last legislative session. S.F. 1694, sponsored by Sen. Ember Reichgott (DFL-New Hope), increases penalties for advertising, selling, and renting devices designed to make unauthorized connections to cable television systems. S.F. 1644, carried by Sen. John Marty (DFL-Roseville), is a revisor's bill and makes changes in the statutes to remove redundant and obsolete language and simplifies grammar and syntax without causing any changes in the meaning of the laws. S.F. 1710, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies the powers of the state compensation insurance fund. S.F. 1608, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), updates references in the city of Minneapolis development laws. S.F. 1711, also carried by Chmielewski, permits Aitkin County to regulate public land that is not under the jurisdiction of any governmental unit by ordinance.

In other action, the Senate granted final passage to the two measures given preliminary approval Monday, February 22. In addition, Senators voted to accept amendments made by the House to S.F. 236 and repassed the bill. S.F. 236, authored by Sen. Gene Waldorf (DFL-St. Paul) prohibits the distribution and exhibition of obscene material and performances. Finally, the Senate adopted a resolution setting deadlines for the 1988 session. Under the resolution, the first deadline for committees is March 10, the second deadline is March 18, and the third deadline is March 30. Accordingly, adjournment would be in early April.

### Expanded banking regions endorsed

The Commerce Committee approved a plan, Tuesday, February 23, to add 12 states to the list of those with which Minnesota banks may enter into interstate banking practices.

S.F. 203, sponsored by Sen. Michael Freeman (DFL-Richfield), names Colorado, Idaho, Illinois, Kansas, Michigan, Missouri, Montana, Nebraska, Oregon, Utah, Washington and Wyoming as "reciprocating states," or states that have laws similar to Minnesota banking laws that authorize the acquisition or control of other banks. Minnesota already names Iowa, North Dakota, South Dakota and Wisconsin as reciprocity states.

Richard Schoeke, chairman of First Bank Systems, spoke in support of the measure, explaining that several factors are making it more difficult for banks to stay competitive and therefore they need to expand into new markets and new regions. Factors causing change in the banking industry include computerized banking, deregulation of interest rates, banking by mail, money markets and convenience banking at shopping malls, according to Schoeke.

Sen. Carl Kroening (DFL-Mpls) spoke in adamant opposition to the bill. The debt crisis is due to the expansion of banks into different markets, Kroening said. He also reviewed a 1986 report prepared by the U.S. Congressional Joint Economic Committee that illustrates how American agriculture and manufacturing are suffering due to third world country debts to American banks.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) also approved H.F. 464, sponsored by Sen. William Luther (DFL-Brooklyn Park), increasing the maximum lifetime benefits for major medical insurance coverage from \$250,000 to \$500,000, and S.F. 1708, authored by Sen. Gregory Dahl (DFL-Coon Rapids). The bill establishes a policy and procedure for credit union boards to expel a member. Under the bill, members may be expelled for failure to purchase credit union shares and for causing monetary loss to the credit unions.

All three bills were sent to the Senate floor.

### Committee approves governance changes

The Veterans Committee approved S.F. 1595, transferring control and administration of the Veterans Homes to a newly created board Thursday, February 25. S.F. 1595, said Senator Joe Bertram, Sr., (DFL-Paynesville), committee chair and author of the bill, gives the board the power to determine the overall policy for the homes.

The bill provides that the board will report quarterly to the governor on the management, operations and quality of care provided at the homes. The governor will appoint the nine voting members of the board, and the Commissioner of Veterans Affairs, the chair of the Senate Veterans Committee and the chair of the House Committee on General Legislation, Veterans Affairs and Gaming will serve as ex officio, nonvoting members.

Last summer Governor Rudy Perpich transferred control of the homes from the Dept. of Veterans Affairs to the Dept. of Human Services because of health violations.

Terry Bock, a Dept. of Administration representative who also served on a special commission on the homes, said that the bill does address some of the concerns reflected by the commission by changing the governance of the homes and establishing a case-mix system.

Tom Mullon, director of the Veterans Administration Medical Center, said that he believes that the bill establishes a productive and acceptable organizational structure.

S.F. 1595, as amended, was re-referred to the Finance Committee.

In other action, committee members also approved S.F. 1618, authored by Bertram, increasing the limit on bonded indebtedness of the State Armory Building Commission to \$7 million.

# Committee Capsule

## Agriculture

### Pseudorabies bill discussed

According to Sen. Charles Berg (DFL-Chokio), "Pseudorabies is the AIDS of the swine industry." His bill, S.F. 1786, is an effort to eradicate pseudorabies in the swine population by granting additional inspection and enforcement powers to the Board of Animal Health. The bill, discussed during the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), Mon., Feb. 22, grants a general inspection authority to the Board of Health and its agents. Additionally, it grants the power to issue administrative orders by the board and its agents, increases penalties for violations, and recodifies criminal penalties.

Dr. Stanley Held, food animal practitioner from Buffalo, Minnesota, testified for the bill. According to Held, it's risky for the community to bring pseudorabies violations to attention without having the authority backing them. He stressed that S.F.1786 will make the work of the Board of Animal Health much easier.

The bill was laid over for further discussion and for the drafting of an amendment offered by Sen. Dennis Frederickson (IR-Morgan) to include regulations disposing of wild animals that have died or been otherwise killed for purposes other than human consumption.

Two other items were discussed during the meeting. Both were approved. S.F. 1651 was re-referred to the Finance Committee and S.F. 1743 was sent on to the floor.

S.F. 1651 advocates the creation of a laboratory services account in the state treasury. Payments for laboratory services performed by the laboratory services division of the Dept. of Agriculture will be deposited in the state treasury and credited to the dedicated account.

S.F. 1743 extends the existing temporary emergency farmer-lender mediation rules until the end of the emergency farmer-lender mediation program, June 30, 1989.

### Water bills heard

Water was the theme of the Agriculture Subcommittee on Agriculture Resources. Members of the subcommittee heard S.F. 1919 and S.F. 1537 authored by subcommittee chair, Gary DeCramer (DFL-Ghent), Fri., Feb. 19.

DeCramer explained that the intent of S.F. 1919 is to better organize our existing water laws, not change them. The DNR Director of the Water Division, Ron Norgang, requested that no action be taken on S.F. 1919 because the DNR needs time to review it. S.F. 1919 was laid over for further discussion.

S.F. 1537 gives the local counties authority to re-establish wetlands. The bill is designed to follow precisely with current drainage provisions. According to DeCramer, many of our wetlands have been destroyed and there is a dire need to re-establish them. Norgang agreed that there is not a positive local initiative to restore wetlands and S.F. 1537 places a clear priority on the enhancement and restoration of wetlands; however, he is not sure that S.F. 1537 is an adequate measure to address the wetland problem.

S.F. 1537 was approved by the subcommittee and sent to the full Agriculture Committee.

### Four bills advance

Senator Joseph Bertram (DFL-Paynesville) is asking the franchised food chains and restaurant establishments where their meat and potatoes are coming from. According to Bertram, they do not seem to know. In an effort to promote the use of state agricultural products, Bertram has introduced a bill in the Senate, S.F. 522, requesting an investigation by the Dept. of Agriculture into the use and purchase of agricultural products by franchised food chains and restaurant establishments selling food in Minnesota. S.F. 522 was discussed during the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), Wed., Feb. 24.

Sen. Steven Morse (DFL-Dakota) offered an amendment requiring a reasonable effort be made in identifying and purchasing food products grown in the state by state food contractors.

Additionally, the amendment mandates state agencies to give preference to the lowest responsible bidder for contracts providing food products grown in Minnesota over bidders providing food products grown and raised outside Minnesota. The bill was approved, as amended, and re-referred to the Finance Committee because it carries a \$15,000 appropriation for the Dept. of Agriculture investigation.

Other committee action included the approval of S.F. 1786, sponsored by Sen. Charles Berg (DFL-Chokio), S.F. 1686, sponsored by Sen. David Frederickson (DFL-Murdock), and S.F. 1823, sponsored by Sen. Don Samuelson (DFL-Brainerd).

S.F. 1786 addresses pseudorabies in the swine population, granting additional powers to the Board of Animal Health to levy a \$10,000 penalty per violation.

S.F. 1686 establishes the requirements for the grading and redelivery of dry edible beans. It also sets a maximum redelivery charge for dry edible beans from a public grain warehouse at \$3.00 per hundredweight. Bob Melhouse, a producer from Olivia, Minnesota and chairman of the MN Dry Bean Research and Promotion Council, supports the bill. According to Melhouse, the bill protects some 900 producers and is a fair bill to both producers and processors.

S.F. 1823 amends the watershed act by adding reasons for termination of a watershed district and deleting the bond requirement from current law.

S.F. 1786 and S.F. 1686 were sent to the floor. S.F. 1823 was re-referred to the Environment and Natural Resource Committee.

## Commerce

### Franchise provisions approved

The Commerce Committee, Thurs., Feb. 25, approved a bill extending current motor vehicle franchise provisions regulating cancellations to include nonrenewals of franchises.

Sen. Gregory Dahl (DFL-Coon Rapids), author of S.F. 1844, said the bill is a result of the Chrysler acquisition of American Motors Corporation. The bill makes it unfair and unlawful for a manufacturer, distributor, or factory branch to threaten to modify or replace a franchise with a succeeding franchise that may adversely affect the rights of the existing owners.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) also approved and referred two other bills to the Senate floor. S.F. 1758, authored by Sen. Donna Peterson (DFL-Mpls) requires insurance plans to cover mental health or psychiatric services provided by certified nurse practitioners or clinical specialists in the same manner that services by doctors are covered.

S.F. 1801, sponsored by Sen. Allan Spear (DFL-Mpls) requires that repair shops prepare written estimates of repair costs and that the estimates include the charges for storing repaired motor vehicles or appliances. Repair shop owners are further required to post a conspicuous sign if storage or other care costs, other than the repairs, are to be assessed.

## Education

### Panel approves two bills

The Education Committee Higher Education Division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), approved S.F. 1228 and S.F. 1705, Thurs., Feb. 18. The bills were both referred to the full committee.

S.F. 1228, authored by Sen. Steven Morse (DFL-Dakota), changes the status of the student member of the Higher Education Coordinating Board (HECB) from nonvoting to voting.

Andrea Kittelson, from the Minnesota Public Interest Research Group (MPIRG), a student organization, told the division that a student vote on the HECB would ensure that student needs were represented.

S.F. 1705, authored by Sen. James Pehler (DFL-St. Cloud), creates a task force on child care in higher education.

## Senators discuss Rochester center

Members of the Education Committee Higher Education Division heard testimony Fri., Feb. 18, on S.F. 1702, relating to an optical fiber telecommunications system, and on the Rochester Area University Center. The division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), will continue discussion on the center in a future meeting.

Members laid over S.F. 1702, authored by Sen. James Pehler (DFL-St. Cloud). The bill appropriates money from the general fund to the State Board of Vocational Technical Education for an optical fiber telecommunications system and specifies educational institutions which are to be included in the system.

The division adopted an author's amendment which deleted the amount of the appropriation and added that any government agencies within the system service area may interconnect with the system.

Division members also discussed the Greater Rochester Area University Center (GRAUC). Information on the GRAUC, prepared by Sen. Nancy Brataas (IR-Rochester), explained that the center would not grant degrees, teach classes, or determine admission requirements; it would, however use an annual state appropriation to contract with appropriate providers for the necessary classes and coordinate the delivery of offerings from a variety of existing participating education institutions.

Estimated costs for the center include \$10.5 million capital funding (state bonding) and \$1.9 million from the general fund for each of the first two years and \$4.5 million from the general fund per year after two years.

## Family life education explored

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), discussed S.F. 1021, authored by Sen. Darril Wegscheid (DFL-Apple Valley), Mon., Feb. 22. The bill requires that each secondary public school offer a class in family life education and that each student complete a family life education course before graduation. Committee members agreed to lay the bill over for further examination.

The committee also heard testimony on the Governor's Early Childhood Family Education Initiatives. Claire Rumpel and Lois Engstrom, from the Dept. of Education, stressed how important early childhood programs are for "at-risk" children.

## TI governance explored

Members of the Education Committee Higher Education Division discussed S.F. 1973, authored by Sen. James Pehler (DFL-St. Cloud), Wed., Feb. 24. The bill, which establishes a statewide system for post-secondary vocation-technical education, was laid over.

The issue of governance of the Technical Institutes has been around for many years, Pehler said. Currently, the the State Board of Vocational-Technical Education allocates money to the institutes, but many policy decisions regarding the institutes are made by the local school boards.

S.F. 1973, Pehler said, would allow each institute to continue to respond to local needs, while improving the system's responsiveness to the state as a whole.

David Longanecker, from the Higher Education Coordinating Board (HECB), testified to the division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), in support of S.F. 1973. The HECB has serious concerns about the gap between the responsibilities of the State Board of Vocational-Technical Education and its lack of authority to carry out those responsibilities, Longanecker said.

Duane Mattheis, representing the Association of Metropolitan School Districts, spoke in opposition to the bill. A change in governance might make the system less complicated, but not necessarily better, he said.

In other action, the division approved S.F. 1702, authored by Pehler, relating to an optical fiber telecommunications system in Minnesota.

## Education Aids

### Panel looks at conversion bill

The Education Aids Division of the Education Committee met Fri., Feb. 19, to examine S.F. 1911, the Education Aids conversion bill.

The intent of the bill, according to author and Division Chair Sen. Randolph Peterson (DFL-Wyoming), is to clean up some statutory provisions relating to legislation passed in 1987. However, Peterson said that there are some sections of the bill that may include substantive changes and said that the division would discuss the bill again.

### Three bills approved

Members of the Education Aids Division of the Education Committee approved S.F. 1929, S.F. 1616, and S.F. 1911 Mon., Feb. 22. The division, chaired by Sen. Randolph Peterson (DFL-Wyoming), laid over S.F. 1734 and S.F. 1729.

S.F. 1929, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), approves, on contingency, a capital loan of not more than \$1,300,000 to Independent School District No. 738, Holdingford. The contingency is approval by the district voters.

S.F. 1616, authored by Sen. David Frederickson (DFL-Murdock), approves, on contingency, a capital loan of not more than \$6,285,000 to Independent School District No. 637, Redwood Falls. The contingency is the approval of the district voters.

Division members laid over S.F. 1729, authored by Sen. Donna Peterson (DFL-Mpls.), creating an advisory task force for adult basic education, and S.F. 1734, authored by Sen. James Pehler (DFL-St. Cloud), providing up to two years of free public secondary school to an eligible person over age 20 who resides in the district.

Members also approved S.F. 1911, the Education Aids Conversion Bill. S.F. 1911, S.F. 1616, and S.F. 1929 were referred to full committee.

## Employment

### Workers comp report continues

Chairman Florian Chmielewski (DFL-Sturgeon Lake) scheduled the entire week for the continued discussion of workers compensations reports. The Tuesday, Feb. 23, hearing was devoted primarily to discussion of recommendations made by the Dept. of Labor and Industry as part of a comprehensive report on the workers compensation system.

Commissioner Ray Bohn presented the recommendations to the panel. Bohn stressed that changes in the system needed to address three areas—hard costs, soft costs and stability. He defined hard costs as those areas which can be counted on to have an immediate impact on the system, soft costs as improvements in procedures and stability as the volatility of the insurance system.

In the area of temporary benefits, the department recommends basing total and temporary partial benefits on 80 percent of spendable wages rather than two thirds of gross wages; changing the minimum benefit to 20 percent of the statewide average weekly wage or the worker's net wage, whichever is less; changing the maximum benefit from 100 percent of the statewide average weekly wage to 130 percent; clarifying that all temporary benefits are limited to 90 days after maximum medical improvement or the completion of an approved retraining program; and mandating that employers continue to make their contributions to employee health plans for six months to one year after the date of injury.

In the area of permanent total benefits, the department recommends limiting the definition of permanent total disability to include only those workers whose whole body permanent ratings are above 25 percent; eliminating the gaps on the current rating schedule; providing neutral doctors to evaluate the percentage of permanency rating; eliminating the current two-tier system; and assessing employers who do not take injured employees back to work a year's salary or \$15,000 unless the employer had good cause not take the person back.

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The department also recommended, in the area of supplementary benefits, that there be coordination of worker's compensation benefits and Social Security benefits in determining the eligibility of supplementary benefits. More specifically, addressing the issue of the second injury fund, Bohn said that the department further recommends restricting registration of injuries to those with impairment that is 25 percent or greater of whole body permanency; ending the funds liability to reimburse employers after an employee has been registered for three years and sustained no further injury and increasing the medical deductible from \$2,000 to \$3,000.

## Legislative Auditor's workers comp report heard

The Employment Committee devoted two hearings Thurs., Feb. 25, to continued examination of the workers compensation system. The morning meeting wrapped up Commissioner Ray Bohn's series of recommendations and began discussion of the Legislative Auditor's report on the workers compensation system.

Bohn, finished the presentation of the Dept. of Labor and Industry's recommendations contained in the department's report. In the area of rehabilitation, the study found that the system does not currently result in over use of rehabilitation, that the costs compare well with those of other states and that rehabilitation is effective in returning workers to jobs. Thus, the department only recommended "fine tuning" adjustments to the rehabilitation area, including: continuing the current policy of reducing the number of conference by intervening in a case before a conference becomes necessary, by issuing more decisions and orders without conferences, and by limiting both the length of the conference and the length of the written decision; monitoring the rehabilitation process to assure that services are delivered fairly, efficiently and appropriately; and moving back the date of mandatory rehabilitation consultation to either 90 days or 120 days of lost work time.

In the area of medical benefits, the study did not examine the area exhaustively. Therefore the recommendation of the report is that the department undertake a study of medical costs and recommend to the legislature a means to control the medical costs component of the workers' compensation system. Currently, the medical costs component amounts to about 29 percent of total benefit costs.

In the area of litigation, the department recommends: changing the definition of permanent total disability to include only those workers with a permanency rating of 25 percent or more; clarifying that temporary benefits end 90 days after maximum medical improvement; recodifying the law to make it more orderly; and with regard to initial denial of claims, providing additional time to respond to certain claims or extend the period in which the employer can easily stop paying.

Because trucking is a high cost industry in a high cost state, the department also made recommendations specifically aimed at trucking: promoting overall reductions in workers' compensation insurance rates and promoting the formation of safety groups.

Finally, in the area of insurance, the report recommended a modified reregulation of the workers' compensation insurance industry.

Discussion of the Legislative Auditor's report began with a comparison of Minnesota's rates with those of neighboring states. The presentation asked "Can Minnesota afford to be this far out of line with neighboring states?" and concluded that the main reason for Minnesota being so much higher than neighboring states is the benefit structure.

The afternoon session focussed on comparisons between recommendations made by the Legislative Auditors report and the Dept. of Labor and Industry report.

## Environment and Natural Resources

### Environmental lien bill approved

The Environmental Protection Subcommittee approved a modified bill, Fri., Feb. 19, that allows the state to place a lien on

lands improved by hazardous waste cleanup funds.

The delete everything amendment to S.F. 412, authored by Sen. William Luther (DFL-Brooklyn Park), imposes a lien for recovery of state Superfund and gas storage tank cleanup funds but the revised bill no longer allows the state to have first priority over other interests. Another change in the bill is that the state lien may be attached at the time cleanup work begins and before the total cost of the cleanup project is known.

The subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids) referred the bill to the Environment and Natural Resources Committee.

### Sanitary district loan plan heard

The Environmental Protection Subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), heard two bills, Mon., Feb. 22, and laid them over for future discussion.

S.F. 1836, authored by Sen. Sam Solon (DFL-Duluth) appropriates a \$5.8 million loan to the Western Lake Superior Sanitary District for repair of a section of pipe used to move sewage to treatment facilities. The bill also grants a deferment on repayment of the loan until 1997, after which the district will make annual repayments on the loan.

Solon said the sanitary district is taking steps to sue the manufacturer of the piping, the contractor, and the construction supervisor who installed the piping. If the district wins the case, the loan money will be paid back immediately, Solon said. Dahl suggested that the sanitary district investigate the availability of PCA funds for the piping repair before the bill receives its next hearing.

Sen. Darril Wegscheid's (DFL-Apple Valley) bill, S.F. 1763, imposes an additional 25 cent per cubic yard fee for the disposal of mixed municipal solid wastes, with the fees to be collected by counties. Subcommittee members disagreed as to how the collected fees should be distributed among solid waste recycling and other projects.

### DNR rule bill gains

A bill requiring the commissioner of the Dept. of Natural Resources to consult with the chairs of the Environment and Natural Resources Committees of the House and Senate, or the chair's designees, prior to publishing an order or rule, was approved by the Fish and Wildlife Subcommittee, Mon., Feb. 22, and referred to the Environment and Natural Resources Committee.

The bill states that the chair's recommendations are advisory only and failure or refusal to make a recommendation promptly is considered a positive recommendation.

Sen. Charles Berg (DFL-Chokio), author of S.F. 1752 and chair of the subcommittee, said the measure is in response to the commissioner's order in regard to the passage of the aquaculture bill last year. Although the law states that aquaculture will be developed and supported as an industry, the DNR has put roadblocks into the process of gaining permits to raise fish, Berg said. An author's amendment was added allowing the importation of minnows into the state.

The subcommittee approved three other bills and referred them to the Environment and Natural Resources Committee. S.F. 1735, authored by Sen. Gene Merriam (DFL-Coon Rapids) provides that game and fish law offenders will pay restitution for illegally killed or injured animals and that the money collected from the offenders will be deposited in the game and fish fund.

S.F. 1573, sponsored by Senate Minority Leader Duane Benson (IR-Lanesboro), allows a resident who is at least 16 years of age before the season opens or possesses a firearm safety certificate to obtain a turkey license. Benson added language allowing people with permanent physical disabilities to obtain a special free permit to hunt small game with a crossbow if they also obtain a small game license.

A fourth bill, S.F. 1561, authored by Sen. Dennis Frederickson (IR-Morgan), changes the law prohibiting the use of meat in baiting bears. The bill disallows using carcasses containing bones, bottles, cans, plastic, paper, metal and any part of a swine for bear

bait. With the new wording, meat scraps will be permitted. Parts of swine were disallowed because of the pseudo-rabies disease carried by some herds.

### **Addition to state park system okayed**

The Public Lands and Waters Subcommittee approved four measures, Tues., Feb. 23, and referred them to the full committee

S.F. 1536 adds the Hill Annex Open Pit Mine area to the state park system. Sen. Douglas Johnson (DFL-Cook), sponsor of the bill, said designating the area a state park will give it more visibility, thus helping the local economy through increased tourism.

S.F. 1731, authored by Sen. Gene Merriam (DFL-Coon Rapids), names a trail along the Minnesota - Wisconsin border the Willard Mungar Trail. S.F. 1427, sponsored by Sen. Ember Reichgott (DFL-New Hope) provides for surface water regulation for that portion of Twin Lake located within the city of Robbinsdale and S.F. 1328, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), regulates the fencing of unused mine pits.

The subcommittee, chaired by Sen. Steven Novak (DFL-New Brighton), also began discussion of S.F. 1632, sponsored by Sen. Fritz Knaak (IR-White Bear Lake). The bill establishes a metropolitan soil erosion and sediment control program. Under the bill, metropolitan soil and water conservation districts must develop a model ordinance and conservation specifications for the control of erosion and sedimentation. The bill was laid over for future consideration.

### **Trust fund described**

The Environment and Natural Resources Committee began hearings, Wed., Feb. 24, on S.F. 2000, a bill establishing an environmental trust fund.

Senate Majority Leader Roger Moe (DFL-Erskine), sponsor of the bill, said establishment of the fund will require an amendment to the state constitution and that if the bill is passed, citizens will vote on the amendment in the 1988 general election. According to Moe, the fund would ensure the protection and enhancement of the state's environment and natural resources for current and future generations.

The bill provides that the trust fund shall receive state appropriations annually, until the year 2015. State contributions to the fund may not exceed \$1 billion. The bill establishes a Minnesota Future Resources Commission that would develop a budget and adopt a strategic plan, and an advisory committee to advise the commission on project proposals and plans. A resources congress, open to all interested citizens, is also established under the bill. The congress must convene once every biennium to collect public input regarding the trust fund. The bill states that money in the fund may be spent on research, collection and analysis of information, public education, the Reinvest In Minnesota program, capital projects for preservation and protection, and activities that preserve or enhance fish, wildlife, and other natural resources that otherwise may be lost.

When the principal in the trust fund reaches \$250 million, the commission may vote to set aside not more than five percent of the principal for a natural resources loan account for investment purposes.

Sen. Bob Lessard (DFL-Int'l. Falls), chair of the committee, outlined several amendments that he plans to propose before the bill leaves the committee. Among those are deletion of the advisory committee and a requirement that the Future Resources Commission give legislative update reports on how much money is in the trust fund.

Discussion of the bill was scheduled to resume Fri., Feb. 26.

### **Fishing and ditch bills gain**

The Fish and Wildlife Subcommittee, Wed., Feb. 24, forwarded two bills to the Environment and Natural Resources Committee following discussion and approval of the measures.

S.F. 1621, authored by Sen. LeRoy Stumpf (DFL-Plummer), allows the burning or mowing of highway ditches at varying times in the northern and southern regions of the state. The high incidence of car accidents involving deer and the propagation of pheasant populations helped the panel determine the times and methods for

controlling high weeds along highways. S.F. 1689 (Stumpf), also approved by the panel, restricts walleye fishing on the Rainy River area bordering Ontario, Canada. Between Feb. 28 and April 14, the pre-spawning season, fishers may not keep walleyes over 19 and a half inches long. The bill also sets the open season for walleyes on the Rainy River from May 15 to April 14.

Sen. Charles Berg (DFL-Chokio) chairs the subcommittee.

## **Finance**

### **Budget overviews presented**

Stier Mary Madonna Ashton, commissioner of the Dept. of Health, and Orville Pung, commissioner of the Dept. of Corrections, presented department budget overviews to the Health and Human Services Division of Finance, Wed., Feb. 24.

Ashton reported that general fund budget requests for fiscal year 1989 include \$662,000 for AIDS grants targeting populations of at-risk adolescents, minorities, and drug users; and \$1.2 million for the governor's requested laboratory remodeling to increase the ventilation in the laboratories. Additionally, Ashton reported that the anticipated state salary account will be at least \$350,000 short, due to underfunding; consequently, a minimum of 11 staff vacancies will be maintained by the department.

Orville Pung reported that the Dept. of Corrections' fiscal year 1988 capital budget requests include \$360,000 to replace a boiler at Red Wing correctional facilities; \$1.2 million for systemwide window replacement at five correctional facilities; and \$1.7 million for an education department expansion at Stillwater correctional facilities. He also added that the number of inmates in state correctional facilities is the greatest that its even been.

### **Tribal archives discussed**

In a joint session with the House Division, the Agriculture, Transportation and Semi-States Division of Finance, chaired by Sen. Keith Langseth (DFL-Glyndon), discussed the Red Lake tribal archives project, Wed., Feb. 24.

The Red Lake Band of Chippewa Indians is seeking assistance from the state to maintain, preserve and share their historical records of the past. Presently, the Minnesota Historical Society is storing Red Lake Reservation tribal artifacts until the Reservation has a place to store them. Some of the artifacts are dated 9,000 years and older.

S.F. 827, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), and H.F. 879, sponsored by Rep. Jim Tunheim (DFL-Kennedy), carries an appropriation of \$750,000 to build a tribal archives center, a library, and an interpretive center on Red Lake Reservation. Red Lake has already received a federal grant of \$200,000 for the project; however, the grant must be used by December 31, 1988. The bill was held in committee for further discussion.

## **General Legislation and Public Gaming**

### **Fire-safe cigarette bill supported**

Minnesota may be the first state in the nation to adopt a cigarette fire safety act aimed at prohibiting the sale of cigarettes and little cigars not meeting fire safety standards. A move toward that end was made, Fri., Feb. 19, by the General Legislation and Public Gaming Committee when it approved S.F. 1430, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids).

The committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), unanimously approved the bill. The measure states that the commissioner of public safety must adopt rules by July 1, 1990 specifying fire safety standards for cigarettes and that the commissioner may use standards developed by the University of Minnesota. The measure also grants an exception from the standards for manufacturers who can prove that complying with the measure will make their cigarettes more toxic than they are now. The bill appropriates money from the tobacco tax revenue fund to the University and so was referred to the Finance Committee.

Dahl said the standards for less combustible cigarettes could be established for approximately \$80,000. The cost would include

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extensive laboratory testing. The cost is little, Dahl said, in comparison to the amount of money that is spent to treat victims of burns caused by fires from cigarettes. Estimates from the Hennepin County Medical Center show that \$1.2 million was spent in one year on treating burn victims at the facility, Dahl said. In addition, cigarettes were blamed for 67,000 fires, half of all hotel fires and 1,570 deaths nationwide in 1984, according to Dahl.

Dr. Robert Johnson, an expert in the flammability of textiles and clothing at the University of Minnesota and Andrew McGuire, executive director of the San Francisco General Hospital Trauma Foundation spoke in support of the measure. McGuire encouraged Minnesota's legislature to adopt fire-safe cigarette standards because, he said, it would prompt other states to follow suit and would encourage tobacco manufacturers to speed up development of less combustible cigarettes.

Tobacco Institute representative John Rupp opposed the measure, stating that the federal government is nearing completion on its own safety standard for cigarettes. Forcing manufacturers to meet a compliance deadline of 1991 may cause further health problems, Rupp said, because hurriedly manufactured fire-safe cigarettes could be more toxic than those presently being sold.

## Governmental Operations

### State investment bill approved

S.F. 1784, regarding statutes relating to the State Board of Investment, was approved by the Governmental Operations Committee Tues., Feb. 23. Sen. Donald Moe (DFL-St. Paul) chairs the committee and is author of the bill.

Howard Bicker, the Executive Director of the State Board of Investment, outlined the bill to committee members. The major changes contained in the bill, Bicker said, include giving the board the ability to invest in international securities; eliminating the bond account in the supplemental investment fund; adding the guaranteed return account in the supplemental investment fund as an option for participants in certain plans; increasing the flexibility in certain plans for transferring between accounts; and removing obsolete language and cleaning up the statutes. S.F. 1784 will next be heard by the full Senate.

In other action, committee members approved S.F. 1218, authored by Sen. Gary Laidig (R-Stillwater), and re-referred it to the Finance Committee. The bill appropriates money to the Secretary of State's office so that the office may microfilm 1,423 volumes of land surveys of Minnesota. The surveys were done by the U.S. government, mostly in the 1840s and 1850s, according to Elaine Voss, the deputy secretary of state. People still frequently use them, but the documents are aging and need to be preserved, she said.

Under the bill, the documents would be transferred to the Historical Society.

### Senators approve DOER bill

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved S.F. 2003, the Dept. of Employee Relations bill, Thurs., Feb. 25. The bill, outlined to the committee by Dept. of Employee Relations Commissioner Nina Rothchild, increases the maximum length of emergency appointments from 30 to 60 days; clarifies the commissioner's authority to remove health maintenance organizations from continuing as carriers under the state's group insurance plan; and makes technical changes, among other things.

Discussion of S.F. 2003 centered around a provision which would allow employees of a contracted food service operation employed at Bemidji State University, St. Cloud State University, or Southwest State University to participate in state insurance plans. According to Tom Beer, a representative of the American Federation of State, County and Municipal Employees (AFSCME), some of these people had been employees of the state when the state operated the food service organizations at these universities.

Sen. Darril Wegscheid (DFL-Apple Valley) proposed two

amendments affecting the provision. Committee members rejected the amendments and sent the bill to the Senate floor.

In other action, the committee approved S.F. 2002, also authored by Moe, ratifying collective bargaining agreements between the state and state employees, and S.F. 573, authored by Sen. Gene Merriam (DFL-Coon Rapids), clarifying provisions related to agencies adopting emergency rules. S.F. 573 will next be heard by the full Senate; S.F. 2002 was re-referred to the Finance Committee.

## Health and Human Services

### Child care bill approved

Friday, Feb. 19, the Income Maintenance and Welfare Reform Division of the Health and Human Services Committee met to discuss S.F. 1627 authored by Sen. Linda Berglin (DFL-Mpls.) and S.F. 1857 authored by division chair, Marilyn Lantry (DFL-St. Paul).

Berglin explained that S.F. 1627 is a response to a problem—the lack of available child care—that demanded attention during last session's welfare reform hearings. S.F. 1627 authorizes the use of AFDC priority group child care assistance money for priority caretakers who are former AFDC recipients but continue to need child care assistance in order to remain employed or in school. Berglin suggested that S.F. 1627 be laid over so that it could be amended into Lantry's bill, S.F. 1857.

S.F. 1857, according to Lantry, is an "approach of continuity" to last session's welfare reform legislation. The bill requires mandatory school attendance—leading to a high school diploma—for certain AFDC recipients who are minors. According to Lantry, "If we don't keep them in school, we lose them to the system."

The bill targets those who are likely to become long-term AFDC recipients or who experience substantial barriers to employment.

S.F. 1857 specifies that "minor" parent means an AFDC recipient who is 18-years-old and is the natural or adoptive parent of a child living with the minor parent.

Berglin offered a controversial amendment to S.F. 1857 providing educational incentive subsidies to the minor parent attending school. The incentive subsidies are a means to encourage minors to attend school by rewarding them with monetary subsidies. For example, if the minor attends school for five consecutive days without an unexcused absence, she/he is eligible for a \$750 voucher; likewise, if the minor attends school for twenty consecutive days without an unexcused absence, she/he will be eligible for a \$45.00 voucher. The vouchers are to be used for child care related expenses such as diapers or clothing. The amendment was adopted by the committee without the author's approval.

S.F. 1627 was offered by Berglin as an amendment to S.F. 1857 and was adopted. S.F. 1857 was approved and sent to the full Health and Human Services Committee.

### HMOs discussed

A late night discussion of protecting enrollees in HMOs was the focus of the Health and Human Services Subcommittee on Health and Health Financing. Senators, HMO representatives, HMO providers, insurance representatives, and concerned persons gathered for an evening meeting on Mon., Feb. 22, to hear S.F. 2008, sponsored by subcommittee chair, Sen. John Brandl (DFL-Mpls.) and S.F. 1861, sponsored by Sen. James Pehler (DFL-St. Cloud). No action was taken on either bill and discussion will continue on both bills.

According to Brandl, S.F. 2008 attempts to insure protection for enrollees in HMOs. He cited the HMO experience in central Minnesota as an example of backing away from the problem of HMO insolvency. He went on to explain the four main and most controversial pieces of S.F. 2008: requiring HMOs to have a net worth of \$1.5 million or two months of expected net worth; restricting the investments of HMO assets; requiring a deposit of 50 percent of an HMO's uncovered expenses or \$500,000; and requiring HMOs to become part of the Life and Health Guarantee Association to insure delivery of enrollee health care coverage. The

main disagreements from HMO representatives are, according to Brandl, the net worth requirement and the guarantee association requirement.

Brian Osberg from Group Health speaking on behalf of the MN Council of HMOs, applauded the intent of the bill but cautioned legislators not to overreact. He strongly opposes the guarantee fund association requirement, reasoning that strong HMOs should not have to bail others out. Instead, he suggested insolvency insurance for HMOs. He also opposes investment regulations.

Pehler explained that S.F. 1861 is a "simple and straightforward" bill. The bill requires replacement coverage in the event an HMO cancels coverage, increases state comprehensive health plan liabilities for HMO members that terminate coverage, and increases the HMO notice requirements and annual reporting requirements.

Jan Malcolm of MedCenters spoke on behalf of the MN Council of HMOs. She supports the guarantee replacement coverage but is concerned about how the bill would play out in reality. According to Malcolm, it is not an unlikely scenario that HMOs will not easily be able to provide conversion coverage. She cautioned the legislators on overregulating the terms of the conversion coverage explaining that overregulation could potentially tie HMOs to continuous financial losses.

### **Mandatory school for AFDC advances**

S.F. 1837, requiring mandatory school attendance for certain AFDC recipients who are minors, came under fire in the Health and Human Services Committee, Wed., Feb. 25 because of an amendment adopted to the bill in the Income Maintenance and Welfare Reform Division of the Health and Human Services Committee. The amendment offered by committee chair, Sen. Linda Berglin (DFL-Mpls.), creates an education subsidy program to encourage AFDC recipients who are minors to attend high school by rewarding them with monetary subsidies for child care needs. The author of S.F. 1837, Marilyn Lantry, moved to delete the amendment. Her motion was defeated on a voice vote. S.F. 1837 was approved and re-referred to the Finance Committee.

S.F. 1650, authored by Sen. Don Samuelson (DFL-Brainerd), was also approved and re-referred to the Finance Committee. According to Samuelson, S.F. 1650 consolidates and simplifies the guidelines for AFDC-GA grants.

Also discussed during the meeting was S.F. 1663, authored by Lantry, allowing certified nurse-midwives to prescribe and administer certain drugs. The bill was laid over due to unclear language.

## **Judiciary**

### **Divisions begin hearings**

Two divisions of the Judiciary Committee met Fri., Feb. 19, to work on bills assigned to the divisions. The Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove), approved a bill dealing with restrictive covenants and began work on a measure making several changes in the state human rights law. S.F. 1615, authored by Jude, provides for a 30 year limit on all private covenants, conditions or restrictions created by which the title or use of real property is affected. The measure also specifies the covenants, conditions or restrictions to which the 30 year limit does not apply and specifically exempts the city of North Oaks.

Division members also began discussion of S.F. 1769, authored by Sen. Ember Reichgott (DFL-New Hope). The measure, which makes changes in the human rights law, contains several sections and members of the division were not able to complete work on the bill because of time constraints. One section of the bill, dealing with comparable worth generated considerable debate. Other sections discussed at the meeting included provisions relating to discrimination on the basis of marital status and familial status.

The Criminal Law Division, chaired by Sen. Donna Peterson (DFL-Mpls.), advanced two bills to the full committee and discussed two others. S.F. 1835, authored by Sen. Allan Spear (DFL-Mpls.), provides that first degree burglary may be charged if a person enters a building without consent and commits a crime while in the building. Currently, a charge of first degree burglary

requires that the person have intent to commit a crime at the time the person entered the building. The bill makes the same change in cases of second and third degree burglary. In addition, the bill provides that a person would be guilty of fourth-degree burglary if the person entered the building without consent and committed a misdemeanor, other than stealing, while in the building. The measure also changes the law relating to the possession of burglary tools by making it a felony to possess objects that a person intends to use in committing theft. Division members also adopted two amendments making technical changes in the penalties for theft law that were enacted last year.

The division also advanced S.F. 1820, sponsored by Peterson. The bill clarifies the defenses to a charge of deprivation of parental rights and requires the defendant to prove elements of those defenses.

Division members also discussed a bill providing for crime victims reparations for the costs of retrieving an abducted child. The bill also makes changes in the "Son of Sam" law by authorizing the Crime Victims Reparations Board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime and by permitting an offender's minor dependents to receive some proceeds of a commercial exploitation of a crime. The bill, S.F. 1693, is also sponsored by Peterson. Finally, division members continued their discussion of 1553, the bill defining areas of computer crime. The measure is sponsored by Sen. Darril Wegscheid (DFL-Apple Valley).

### **"Living will" bill discussed**

Members of the Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), devoted the entire Mon., Feb. 22, meeting to hearing testimony in favor of a bill that would make "living wills" legal in Minnesota. The measure, S.F. 1816, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), allows people of sound mind to determine, in advance, their level of health care in the event of terminal illness. The bill also provides some protection against malpractice suites for health care providers. In addition, the measure specifically excludes euthanasia and suicide from any authority granted by the bill. Testimony in support of the measure was heard from members of the Senior Federation, and the American Association for Retired Persons among others. Testimony in opposition to the measure will be heard when the committee resumes discussion of the bill, Mar. 2.

### **Tort liability bills heard**

Three bills dealing with various aspects of Minnesota's tort liability laws dominated two meetings of the Judiciary Committee, Wed., Feb. 25. The first, S.F. 1675, authored by Committee Chair Allan Spear (DFL-Mpls.), repeals the law providing for the discounting of future damages and restores pre-1986 status to computing awards. The existing law was the result of a compromise worked out in the 1986 tort reform legislation. According to Spear, the law has harmed those least able to absorb the loss—those who have been catastrophically injured. Currently, judges must discount awards granted by juries according to a formula that takes into account the amount the award would earn if it was invested. Proponents argued that such discounting does not take into account the rapid escalation of the cost of medical service and thus results in awards being too greatly discounted. Opponents argued that the measure was designed to provide stability in the costs of insurance and that modification of the discounting formula would be a more equitable solution.

The evening meeting focussed on two other bills dealing with tort liability. The first, S.F. 580, authored by Sen. Darril Wegscheid (DFL-Apple Valley), provides for the reduction of awards because of payments from other collateral sources and authorizes the periodic payment of judgments. The second, S.F. 679, sponsored by Sen. Gene Waldorf (DFL-St. Paul), abolishes joint liability in the comparative fault statute.

Committee members did not take action on any of the three bills however, Spear indicated that S.F. 1675 would be rescheduled for further debate.

# Committee Capsule

## Local and Urban Government

### Local bills gain

Members of the Local and Urban Government met Thurs., Feb. 18, to take action on four measures. The panel, chaired by Sen. Robert Schmitz (DFL-Jordan), advanced all four bills to the floor. S.F. 1711, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits Aitkin County to regulate, by ordinance, public access lands adjacent to public waters that have been dedicated to the public but are not currently owned by the state or any other political subdivision. Further, the measure specifies that the ordinance may regulate the times and types of uses of the land and that the ordinance may make different provisions for each separate parcel of land. Finally, the measure limits the county's liability on account of adopting an ordinance regulating the public access by specifying that the regulation is not to be construed as a taking of property nor as requiring the county to maintain or supervise the property. S.F. 1715, also sponsored by Chmielewski, provides that county contracts for the rental of equipment for \$60,000 or less may be made by direct negotiation by obtaining two or more quotations and without advertising for bids or otherwise complying with the requirement of competitive bidding.

S.F. 1688, authored by Schmitz, prohibits the Metropolitan Airports Commission from using revenue for the extension of an existing runway at Airlake airport, construction of a new runway or from any other action necessary to upgrade the use of Airlake from minor use to intermediate use status as defined by the metropolitan development guide. S.F. 1760, authored by Sen. Jim Vickerman (DFL-Tracy), alters laws that regulate the duties of town officers, set town powers and regulate town revenue and property valuation matters. For instance, under the bill town board members would be exempted from penalties in connection with the inspection and control of noxious weeds and town boards would have the authority to impose a 25 cent fee per cubic yard of demolition debris on demolition dumps.

### County building fund change gains

A bill allowing Hennepin and St. Louis Counties to have county building funds and exempting bonds issued by a county to finance capital improvements under an approved capital improvement plan from the election requirements gained the approval of the Local and Urban Government Committee at the Mon., Feb. 22, hearing. The bill, S.F.1877, carried by Sen. Steven Novak (DFL-New Brighton), also authorizes Hennepin County to issue and sell \$16 million of general obligation bonds to finance the construction and purchase of the Hennepin county health services building. The bill was re-referred to the Committee on Taxes and Tax Laws.

Committee members, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved 1699. The measure, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), repeals a special law for Washington County that provided for commissioners' expenses. Panel members voted to place the bill on the Senate Consent Calendar.

Finally, committee members also approved a bill authorizing the city of Minneapolis to negotiate agreements for skilled, trade, and craft workers, provides the specific agreement negotiating subjects and defines the status of persons hired under the agreements. The bill, S.F. 1875, authored by Sen. Donna Peterson (DFL-Mpls.), also requires a grievance procedure for resolving disputes and specifies that the authority to negotiate is permissive. Finally, the measure provides that current employees are not affected unless the individual employee agrees.

## Public Utilities and Energy

### Shared meter bill advances

A bill setting forth provisions for payment of utility bills in multi-unit rental buildings with single meters gained the approval of the Public Utilities and Energy Committee, Tues., Feb. 23. The bill, S.F. 1819, authored by Sen. John Marty (DFL-Roseville), requires the

landlord to be responsible for supplying the utility service in multi-unit buildings with one meter. Under the bill, if the landlord fails to pay the utility, the tenants may pay the utility in order to prevent the discontinuance of service and deduct the amount paid from the rent. The bill requires that the utility notify the tenants prior to discontinuing service and that the tenants notify the landlord that the payment to the utility is made to prevent the discontinuance of service. The bill was re-referred to the Economic Development and Housing Committee.

Members of the committee, chaired by Sen. Ronald Dicklich (DFL-Hibbing), also approved a bill that would combine the three surcharges that are presently imposed on telephone service into one surcharge. Currently, telephone companies must collect a surcharge of 18 cents for 911 emergency service, 10 cents for telecommunication access for communication-impaired persons, and 10 cents for the telephone assistance plan. The three surcharges would be combined into one charge of 38 cents per access line. The bill also expands the telephone assistance plan to low-income disabled persons. The measure, however, does not impose any addition surcharge for the expansion. The measure, S.F. 1840 authored by Dicklich, was forwarded to the full Senate.

Finally, members began discussion on a bill designed to improve the administration of the Public Utilities Commission and the Department of Public Service, encourage settlements of gas and electric rate cases, and deregulate coin-operated telephones. The bill, S.F. 1751, sponsored by Marty, was laid over for further discussion.

### Amended regulatory reform measure okayed

A heavily amended version of S.F. 1751 providing for changes in the laws governing the regulation of public utilities gained the approval of the Public Utilities and Energy Committee at the Thurs., Feb. 25, meeting.

The bill, sponsored by Sen. John Marty (DFL-Roseville), requires that the Office of Administrative Hearings convene a settlement conference prior to conducting a contested case and allows the office to reconvene the conference during or after the contested case hearing. In addition, the bill requires the administrative law judge in a rate case to submit his report within eight months of the filing and permits the commission to take longer than ten months to render a decision under certain conditions. Also, the bill allows the commission to grant new interim rates less than four months after it has rendered a decision in a previous case for that utility when the second filing is more than 12 months after the first filing and the commission had extended the time period for deciding the previous case. Finally, the bill requires a telephone company that makes a transaction in excess of \$50,000 with an affiliated company to provide prior written notice to the commission and the department.

## Taxes and Tax Laws

### Property taxes discussed

The Property Tax Division heard the governor's property tax proposal, Wed., Feb. 24.

John Tomlinson, deputy commissioner, Dept. of Revenue, said the main features of the proposal are: it cuts some property taxes by \$200 million in 1989 and 1990; it provides tax relief to high tax rate areas; it cuts some business taxes an average of ten percent; it simplifies the property tax system; it continues homestead and agricultural school credits; and improves accountability.

According to a report submitted by Tomlinson, the proposal will improve the accountability of the property tax and local government aid system by uncoupling the two most expensive state aid programs — the homestead credit and local government aid — from local government spending decisions. An incentive to control spending will be that a local government which reduces spending will not lose state aid, conversely, one that increases spending will not receive more state aid.

Tomlinson said homestead credits will be adjusted in the future for changes in assessed value of homesteads eligible for credits, and changes in statewide appropriations. Under the proposal, net property taxes will change for 1988 in the following categories: farms - a ten percent decrease; homesteads - an eight percent increase; apartments - a 13.5 percent increase; and commercial and industrial taxes - a 14.7 percent increase. The percentages are averages for the state. Metropolitan area taxes will experience a higher percentage increase than non-metro areas.

Sen. Steven Novak (DFL-New Brighton), division chair, said future hearings on the proposal are scheduled.

## Transportation

### Transportation study board approved

A bill establishing a board to study the financing of transportation in Minnesota for the next 20 years gained approval, Tues., Feb. 23, and was referred to the Governmental Operations Committee.

Sen. Clarence Purfeerst (DFL-Faribault), author of S.F. 1593 and chair of the Transportation Committee, said the board is needed to review and make recommendations on several major issues. Areas of study will include: a review of current transportation expenditures and potential cost-saving measures; a review of statewide surface transportation needs and of potential revenue sources to meet those needs; and methods of insuring equitable treatment of all areas of the state in providing transportation improvements.

Under the bill, the board will contract with a consultant to carry out research, writing, statistical analysis and other functions. The bill also specifies a broad membership to include four members of the Senate, four members of the House, and 17 gubernatorial appointees representing business, commerce and industry, organized labor, agriculture, tourism and recreation industries, natural resources-based industries, transportation industries, public transit and city and county government.

The committee also approved S.F. 1564, authored by Sen. Dennis Frederickson (IR-Morgan), regulating the operation of motorized vehicles or mopeds.

Finally, the panel endorsed S.F. 1587, sponsored by Sen. Jim Vickerman (DFL-Tracy), extending the transportation commissioner's authority to contract for the placement of vending machines at rest areas, tourist information centers and weigh stations on interstate highways to include primary trunk highways. The panel also removed any restrictions on the items for sale in vending machines by removing all references to drinks, candy and other snacks.

S.F. 1564 and S.F. 1587 were forwarded to the Senate floor.

### Vehicle title bill okayed

A bill providing for the licensing of used vehicle parts dealers, used motor vehicle dealers, scrap metal processors and vehicle salvage pools gained the Transportation Committee's approval, Thurs., Feb. 24.

Sergeant Larry Wilkens, Minneapolis Police Dept., and representing the Anti-Vehicle Crime Association of Minnesota, said the licensing provisions contained in S.F. 1121 are needed to better control the number of auto thefts in the state. Licensing provides a "tracking system" from the time a vehicle is purchased to the time it reaches a salvage yard, Wilkens said.

Cecil Martin of Martin Transport Company, William Knauff of Bill's Auto Parts and Joseph Graber of Minneapolis Auto Parts spoke in opposition to the bill. Graber said the bill will not curtail auto thefts because many individual salvage and recycling pools will continue to operate without a license. The first two opponents of the bill said the Legislature should choose registration over licensing to keep track of vehicle titles. Sen. Clarence Purfeerst (DFL-Faribault), chair of the committee, directed the bill's author, Sen. LeRoy Stumpf (DFL-Plummer) to consider an amendment that provides for registration rather than licensing before the bill is heard by the Commerce Committee.

The panel also approved S.F. 1761, authored by Sen. John Marty (DFL-Roseville). The bill addresses high speed driving and defines as careless driving either driving over 85 mph or driving at 30 mph over the posted limit. Careless driving is a misdemeanor offense. A second part of the bill states that a prosecuting attorney may not reduce the speed the law enforcement officer specified on the traffic ticket. The bill was referred to the Judiciary Committee.

## Veterans

### Stress disorder explored

The Veterans Committee, chaired by Sen. Joe Bertram, Sr. (DFL-Paynesville), discussed post traumatic stress disorder (PTSD) Tues., Feb. 22. Committee members heard testimony from Dr. Harry Russell, a psychologist who runs a PTSD clinic, and Peter Erlander, a law professor at William Mitchell College of Law.

PTSD affects mostly Vietnam veterans, Russell said, and occurs when trauma that should have been experienced at the time of the stress is postponed. The symptoms include nightmares, night sweats, flashbacks, anger, and difficulty being around people, he said.

Erlander spoke about the legal implications of PTSD.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, February 29, 1988

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

**Agenda:** S.F. 1228-Morse: Allowing student member of HECB to vote. S.F. 1705-Pehler: Creating a task force on child care in higher education. S.F. 1911-Peterson, R.W.: Conversion bill. S.F. XXXX-Pehler: School nurse legislation. S.F. 1978-Peterson, D.C.: Extended day programs.

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

**Agenda:** S.F. 1837-Davis: Appropriation for enforcement of organic food law. Presentation of supplementary budget requests by University of Minnesota Agriculture Extension-

Agriculture Research.

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

**Agenda:** S.F. 268-Chmielewski: Right to bear arms, state constitutional amendment.

**Commerce Subcommittee on Insurance**, Chair: William Luther  
12:00 PM Room 125 Capitol

**Agenda:** S.F. 1845-Luther: Omnibus insurance bill.

**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. 1772-Frank: Church property renovation and use for health or social service programs. Metropolitan Council confirmations. Waste Control Commission confirmations.

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

**Education Committee Education Aids Division**, Chair: Randolph Peterson  
3:00 PM Room 15 Capitol  
**Agenda:** Desegregation discussion. Topics include Governor's proposal; policy report and cost report by Department of Education; and presentations by Minneapolis and St. Paul school districts. General discussion of S.F. 1878-Peterson, D.C.: Establishing Indian School Council to establish opportunities for Indian control of Indian education.

**Environment and Natural Resources Subcommittee on Environmental Protection**, Chair: Gregory Dahl  
3:00 PM Room 112 Capitol  
**Agenda:** S.F. 1665-Dahl: Authorizing the PCA to train certain persons involved with sewage treatment systems. S.F. 1927-Morse: Requiring certification of certain environmental laboratories. S.F. 2010-Chmielewski: Exempting innocent landowners from liability.

**Finance Committee State Departments Division**, Chair: Carl Kroening  
3:00 PM Room 125 Capitol  
**Agenda:** Supplemental and capital budget overviews of the Departments of Military Affairs, Employee Relations, Human Rights, the PCA, and the IRRRB.

## Tuesday, March 1, 1988

**Employment Committee**, Chair: Florian Chmielewski  
8:00 AM Room 107 Capitol  
**Agenda:** S.F. 1442-Pehler: Reporting and disclosure requirements for railroad acquisitions. S.F. 1864-Hughes: Creating division of elevator inspection in the Department of Labor and Industry. S.F. 2011-Piper: Providing comparable worth compensation for certain employees. S.F. 1719-Chmielewski: Regulating penalties for OSHA violations. S.F. 1718-Chmielewski: Regulating boiler operation. S.F. 1721-Chmielewski: Regulating job listing services, fees and contracts. S.F. XXXX-Beckman: Workers compensation; Department of Labor and Industry clean-up bill.

**Governmental Operations Committee**, Chair: Donald M. Moe  
8:00 AM Room 15 Capitol  
**Agenda:** S.F. 1987-Marty: Part-time employment policies. S.F. 2017-Berglin: Relating to Gillette Children's Hospital. S.F. 1939-Frederickson, D.J.: Corrections departmental bill. S.F. 1888-Wegscheid: Relating to prompt payment to vendors. S.F. 1930-Moe, D.M.: Advisory Commission of Intergovernmental Relations.

**Transportation Committee**, Chair: Clarence Purfeerst  
8:00 AM Room 112 Capitol  
**Agenda:** S.F. 1980-Wegscheid: Removing restrictions regarding restricted gasoline fill pipes. S.F. 1783-Reichgott: Continuation of hearing on annual inspections of motor vehicle emissions.

**Commerce Committee**, Chair: Sam Solon  
10:00 AM Room 112 Capitol  
**Agenda:** S.F. 1667-Larson: On-sale liquor license for excursion boat on Detroit Lakes. S.F. 1673-Pehler: On-sale liquor license for St. Cloud Civic Center. S.F. 1793-Lessard: Defines "restaurant" for purposes of county liquor licenses. S.F. 1822-Solon: Regulation of liquor wholesaler-supplied

signs for retailers. S.F. 1692-Solon: Extends off-sale liquor hours for day preceding Thanksgiving. S.F. 1867-Piper: Regulation of pre-arranged funeral service trust accounts. S.F. 1121-Stumpf: Regulation of scrap metal processing and resale of used auto parts. S.F. 995-Wegscheid: Industrial loan and thrift bill.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich  
10:00 AM Room 15 Capitol  
**Agenda:** S.F. 2111-Novak: Pipeline safety.

**Veterans Committee**, Chair: Joseph Bertram  
10:00 AM Room 107 Capitol  
**Agenda:** S.F. 1463-DeCramer: Require Commissioner of Veterans Affairs to establish veterans home with funding and veterans outreach center. S.F. 1603-Bertram: Allowing the Adjutant General to retain special license plates on retirement. S.F. 1604-Bertram: Resolution- Allow the National Guard and Reserve members to have National Cemetery burial rights.

**Environment and Natural Resources Subcommittee on Public Lands and Waters**, Chair: Steven Novak  
1:00 PM Room 112 Capitol  
**Agenda:** To be announced.

**Health and Human Services Committee**, Chair: Linda Berglin  
1:00 PM Room 15 Capitol  
**Agenda:** S.F. 1918-Lantry: Allowing nursing home beds to be moved from a nursing home to Mounds Park building. S.F. XXXX-Luther: Nursing home rate appeals. S.F. 1975-Berglin: Nursing homes and care facilities.

**Finance Committee Education Division**, Chair: Gene Waldorf  
3:00 PM Room 125 Capitol  
**Agenda:** University of Minnesota Biological Sciences Report.

**Finance Committee State Departments Division**, Chair: Carl Kroening  
3:00 PM Room 123 Capitol  
**Agenda:** Overviews of the Department of Trade and Economic Development and of the Supreme Court.

**Taxes and Tax Laws Committee Income Tax Division**, Chair: Lawrence Pogemiller  
3:00 PM Room 15 Capitol  
**Agenda:** Discussion of Department of Revenue bill.

**Education Committee Higher Education Division**, Chair: Gregory Dahl  
6:30 PM Room 107 Capitol  
**Agenda:** S.F. 444-Waldorf: CC/TI merger. S.F. 1973-Pehler: TI statewide. College savings bond proposals.

**Health and Human Services Subcommittee on Health and Health Financing**, Chair: John Brandl  
7:00 PM Room 15 Capitol  
**Agenda:** S.F. 1388-Berglin: HMO bill of rights. S.F. 1861-Pehler: HMO insurance. S.F. 1926-Dicklich: HMO financial solvency. S.F. 2008-Brandl: HMO financial solvency.

**Health and Human Services Subcommittee on Social Services and Government Administration**, Chair: Pat Piper  
7:00 PM Room 118 Capitol  
**Agenda:** S.F. 1832-Spear: Child care. S.F. 1508-Taylor: Child care.

**Judiciary Committee Criminal Law Division**, Chair: Donna C. Peterson  
7:30 PM Room 112 Capitol  
**Agenda:** S.F. 1553-Wegscheid: Computer crimes. S.F. 1693-Peterson, D.C.: Crime victims; "Son of Sam" laws. Continuation of 2/26/88 agenda. Any additional referrals from full Judiciary Committee.

## Wednesday, March 2, 1988

### General Legislation and Public Gaming Committee, Chair: Marilyn Lantry

8:00 AM Room 107 Capitol

**Agenda:** S.F. 1661-Lantry: Charitable gambling; changing the definition of lawful purpose expenditures. S.F. 1765-Lantry: Date change for financial statement; purse supplement for racetracks. S.F. 1764-Lantry: Charitable gambling; increase time for cities and counties to review license application. S.F. 727-Lessard: Creating a Minnesota lottery agency.

### Education Committee, Chair: James Pehler

8:30 AM Room 15 Capitol

**Agenda:** S.F. XXXX-Pehler: School nurse bill. S.F. 885-Waldorf: Demonstration voucher bill. S.F. 1616-Frederickson, D.J.: Maximum effort school loan, Independent #637, Redwood Falls. S.F. 1929-Bertram: Maximum effort school loan, Independent #738, Holdingford.

### Agriculture Committee, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 1897-Diessner: Watershed districts; setting borrowing limits. S.F. 1936-Davis: Adding members to state agricultural society. S.F. 552-Bertram: Promotion of Minnesota commodities. S.F. 1742-Berg: Changes in right of first refusal. S.F. 2129-Morse: Department of Agriculture and Food; Minnesota Grown; soil testing.

### Judiciary Committee, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1830-Ramstad: Criminalizing inducements given to student athletes and educational institutions from athletic agents. S.F. 1816-Purfeerst: Living will.

### Elections and Ethics Committee, Chair: Jerome Hughes

11:30 AM Room 107 Capitol

**Agenda:** S.F. 1846-Diessner: Precinct boundaries. S.F. 2021-Marty: Providing for accounting for certain contributions. S.F. 1780-Frank: Campaign financing limits. S.F. 1826-Samuelson: Elections for county vacancies. S.F. 1633-Storm: Voter registration.

### Commerce Subcommittee on Insurance, Chair: William Luther

1:00 PM Room 107 Capitol

**Agenda:** S.F. 1845-Luther: Omnibus insurance bill.

### Environment and Natural Resources Committee, Chair: Bob Lessard

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1701-Pogemiller: Designating a state fossil. S.F. 890-Bernhagen: Use of dogs in taking bear. S.F. 1698-Wegscheid: Lifesaving devices in duck boats. S.F. 1691-Berg: Aeration of public waters. S.F. 1573-Benson: Age minimum for turkey licenses. S.F. 1731-Merriam: Designating Willard Munger Trail.

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

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1970-Moe, R.D.: MA Federal disallowance. S.F. 1912-Freeman: WIC; Infant formula rebate. S.F. 1988-Spear: Infant test for hemoglobinopathy. S.F. 1869-Berglin: Comprehensive mental health bill. S.F. 1620-Piper: DHS housekeeping bill. S.F. 1391-Piper: Cultural opportunities for children. S.F. 2138-Vickerman: ICFMR exception to moratorium. Bills that passed Health and Health Financing Subcommittee on 3/1.

### Finance Committee on Education Division, Chair: Gene Waldorf

3:00 PM Room 123 Capitol

**Agenda:** Technical institute and state university operating budgets.

### Taxes and Tax Laws Committee Sales Tax Division, Chair: LeRoy Stumpf

3:00 PM Room 15 Capitol

**Agenda:** Discussion of Department of Revenue sales tax bill.

### Education Committee Higher Education Division, Chair: Gregory Dahl

6:30 PM Room 107 Capitol

**Agenda:** S.F. XXXX: State university presentation by Rochester University Center Chancellor, Bob Carrothers. S.F. XXXX-Dahl: Governor's budget proposals on higher education. S.F. 2043-Dahl: University of Minnesota audit.

### Judiciary Subcommittee on Privacy, Chair: Richard Cohen

7:00 PM Room 125 Capitol

**Agenda:** S.F. 1628-Berglin: Mental health ombudsman data privacy issues. S.F. 1727-Piper: Employment and training services data privacy. S.F. 1944-Jude: Notification of patients regarding destruction of medical records. S.F. 2122-Peterson, R.W.: Omnibus data privacy bill. S.F. 1583-Berglin: Jobs and training rehabilitation data privacy. S.F. 1876-Novak: Public Safety Department motor carrier investigative data.

### Agriculture Committee, Chair: Charles Davis

7:30 PM Room 112 Capitol

**Agenda:** Continuation of morning agenda.

## Thursday, March 3, 1988

### Employment Committee, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 2039-Freeman: Regulating Youth Employment Program in the Department of Jobs and Training. S.F. 1775-Chmielewski: Unemployment insurance; temporary job services, requiring notice of completion of job assignment. S.F. 1777-Chmielewski: Unemployment insurance; defining the term "wages". S.F. 1958-Lantry: Requiring breaks during the work day. S.F. 1959-Lantry: Mandating a study on effects of video display terminals; mandating a study on mandatory overtime. S.F. 1304-Merriam: Requiring payment of death, disability and survivor benefits to firefighters suffering from occupationally related cancer. S.F. 1732-Peterson, D.C.: Regulating the labor-management committee grant program. S.F. 2117-Diessner: Drug-testing breathalyzer.

### Governmental Operations Committee, Chair: Donald M. Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 489-Moe, D.M.: Age 62 retirement. S.F. 980-Moe, D.M.: Relating to fiduciary responsibilities. S.F. 1969-Waldorf: Relating to state university and community college faculty retirement plans.

### Transportation Committee, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** H.F. 1277-Frederickson, D.J.: State park road account funds to be used for lake access roads. S.F. 1662-Purfeerst: Defining state forest roads.

### Commerce Committee, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 1956-Peterson, R.W.: Recodification of savings and loan statute. S.F. 1086-Pehler: Allowing disposition of certain bank assets (Bremer bill). S.F. 2114-Luther: Requiring warning label on toy guns.

### Public Utilities and Energy Committee, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** To be announced.

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

12:00 PM Room 107 Capitol

**Agenda:** S.F. 1789-Anderson: Detachment of Cities/towns for hospital districts. S.F. 1900-Adkins: MAC; setting the borrowing authority of the commissioners. S.F. 1858-Adkins: Special assessments authorizing towns to make improvements.

Senate will be in session at 2:00 PM

**Environment and Natural Resources Committee, Chair: Bob Lessard**

3:00 PM Room 112 Capitol

**Agenda:** S.F. 1561-Frederickson, D.R.: Prohibiting use of meat in baiting bears. S.F. 1752-Berg: Prescribing procedures for commissioner's orders on game and fish. S.F. 1687-Lessard: Changes in forestry laws. S.F. 1678-Lessard: Controlled burn program. S.F. 1994-Peterson, R.W.: Sale of state property to Cambridge Hospital.

**Judiciary Committee, Chair: Allan Spear**

7:00 PM Room 15 Capitol

**Agenda:** S.F. 1548-Berg: Commodities regulation. S.F. 1582-Berglin: Enforcement of child support judgments. S.F. 1613-Peterson, R.W.: Open bottle law criminal liability. S.F. 1615-Jude: Restrictive covenants. S.F. 1652-Knaak: Individuals qualified to value pension rights on marriage dissolution. S.F. 1741-Ramstad: Filing of judgments. S.F. 1820-Peterson, D.C.: Defense to charge of deprivation of parental rights. S.F. 1812-Peterson, D.C.: Social worker-client privilege. S.F. 1835-Spear: Burglary elements. S.F. 1868-Marty: Regulation of firearms. S.F. 1995-Peterson, R.W.: Closing of public hospital board meetings to protect trade secrets. Bills reported from division 2/26. Bills remaining from 3/2 full committee. Re-referrals.

**Friday, March 4, 1988**

**General Legislation and Public Gaming Committee, Chair: Marilyn Lantry**

8:00 AM Room 107 Capitol

**Agenda:** Bills held over from 3/2/88. S.F. 2120-Lantry: Licensing operators of bingo halls. S.F. 2097-Marty: Distribution of funds to regional arts councils.

**Finance Committee Education Division, Chair: Gene Waldorf**  
10:00 AM Room 125 Capitol

**Agenda:** Discussion of Rochester Center's operating and capital budgets; HECB budget; community colleges operating budget.

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

10:00 AM Room 107 Capitol

**Agenda:** S.F. 1788-Peterson, R.W.: Simplification of certain Secretary of State filing requirements. S.F. 1790-Peterson, R.W.: Probate payments to certain persons for the benefit of incapacitated persons not under guardianship. S.F. 1668-Spear: Imposing civil liability for theft of merchandise and shopping carts. S.F. 964-Marty: Termination of parental rights, providing for custody of neglected children.

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

10:00 AM Room 15 Capitol

**Agenda:** To be announced.

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

1:00 PM Room 15 Capitol

**Agenda:** Bills that passed Social Services and Government administration Subcommittee on 3/1/88. S.F. 1637-Mehrkins: Allows continued hospitalization for person who has spent 30 years in hospital. S.F. 2139-Berglin: ICFMR; changes process for determining rates. S.F. 2118-Piper: Hearing aids, speech language, and pathology audiology. S.F. XXXX: Minnesota Department of Health hearing aid bill.

**Taxes and Tax Laws Subcommittee on Economic Development,**

**Chair: Ember Reichgott**

3:00 PM Room 15 Capitol

**Agenda:** To be announced.

**Education Committee Higher Education Division, Chair: Gregory Dahl**

5:00 PM Room 15 Capitol

**Agenda:** Continuation of higher education bills.

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# The Minnesota Senate Week in Review

## March 4, 1988

### “Right to bear arms” bill gains, falters

A bill proposing an amendment to the Minnesota Constitution that would guarantee the right to bear arms gained the approval of the Judiciary Committee, Monday, February 29. The measure was debated for three hours before the committee, chaired by Sen. Allan Spear (DFL-Mpls.), amended the bill and approved it on a 9-8 roll call vote.

As amended, the bill, S.F. 268, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), would ask voters “Shall the Minnesota Constitution be amended to provide that non law, ordinance, or other regulation that absolutely prohibits the purchase, possession or bearing of rifles, shotguns or pistols within the state or within the geographic limits of any political subdivision of this state shall be passed?”

Proponents of the original measure, which asked “Shall the Minnesota Constitution be amended to provide that the right of a citizen to keep and bear arms for the defense and security of the person, family, or home, or for lawful hunting, recreation, or marksmanship training shall not be abridged?”, argued that the bill was needed because people were under the false assumption that the federal constitution offered the right to keep and bear arms. The proponents, led by Ted Lattanzio, director of the state and local affairs division of the National Rifle Association Institute for Legislative Action, argued that the bill was needed to prevent a move to place a ban on all firearms.

Opponents of the measure, led by Hennepin County Attorney Tom Johnson and Chief Tony Bouza of the Minneapolis Police Department argued that the bill was poor public policy and would jeopardize laws already in the statutes. The amendment substituting the language that was subsequently adopted was proposed by Sen. Randolph Peterson (DFL-Wyoming).

At the Wednesday, March 2, committee hearing, however, the bill suffered a setback. Sen. Don Storm (R-Edina) moved that the vote whereby S.F. 268 was approved by the committee be reconsidered. Storm argued that proponents of the bill had misrepresented their commitment to the amended language of the measure. The vote to reconsider was approved on an 11-6 roll call vote. Chair of the committee, Sen. Allan Spear, indicated that the bill would be before the panel early next week.

### Routine floor sessions held

Two bills on the General Orders Calendar gained preliminary passage during the Senate floor session Monday, February, 29. S.F. 1622, authored by Sen. LeRoy Stumpf (DFL-Plummer) clarifies which debtors are eligible for participation in farmer-lender mediation programs, and S.F. 1715, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), raises the limit on bid quotations county governments may obtain for service contracts. The bill raises the limit from \$15,000 to \$60,000.

Four bills on the Senate Calendar also gained final approval. S.F. 1594, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), provides for definitions, exlusions, access to records and a period of receivership under the Human Services Licensing Act. S.F. 1644, authored by Sen. John Marty (DFL-Roseville), revises the text of certain laws to remove rdundant and obsolete language, to simplify grammer and syntax and to improve the style and language without causing changes in the meaning of the laws. S.F. 1710, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), clarifies the powers of the state compensation insurance fund. S.F. 1608, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), updates references in the

development laws of the city of Minneapolis.

The floor session Thursday, March 3, was devoted primarily to processing reports from committees so that bills could be referred to other committees. In addition, the Senate granted final passage to three bills. S.F. 1711, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits Aitkin County to regulate public land interests not under the jurisdiction of any political subdivision by ordinance. S.F. 1715, also sponsored by Chmielewski, provides conditions for certain county contracts. S.F. 1622, carried by Sen. LeRoy Stumpf (DFL-Plummer) clarifies which debtors are eligible for mediation. Finally, the Senate granted concurrence and repassage to a measure. S.F. 1184, sponsored by Chmielewski, authorizes the conveyance of land in Pine County to the Amherst H. Wilder Foundation.

### S.F. 2000 sent to Governmental Operations

S.F. 2000, the Environmental Trust Fund bill establishing up to a \$1 billion fund for protection and preservation of the state's natural resources, gained the Environment and Natural Resources Committee's approval, Friday, February 26, and was referred to the Committee on Governmental Operations.

Senate Majority Leader Roger Moe (DFL-Erskine) said there are six major proposals in the bill. Among them is the dissolution of the Legislative Commission on Minnesota Resources (LCMR). The activities and the responsibilities of the Commission, along with its \$16 million biennial funding, would be absorbed by a Future Resources Commission proposed in the bill. The committee adopted an amendment offered by Sen. Gene Merriam (DFL-Coon Rapids) that calls for the dissolution of the LCMR only if a constitutional amendment, required to establish the environmental trust fund, is approved by voters.

The bill that was approved was a delete-everything amendment to the original, incorporating several amendments offered by committee chair Sen. Bob Lessard (DFL-Int'l. Falls), Feb. 24.

Representatives of the Izaak Walton League, the Nature Conservancy, the Audubon Society, the Minnesota Conservation Federation, the Clean Water Action Project and the Minnesota Public Interest Research Group (MPIRG) all spoke in support of the measure. However, Debra Loon, representing the Citizen's League, opposed the provision in the measure which calls for dedicating funds for several years. The Citizen's League has maintained that appropriation decisions should be made based on budget situations which change yearly.

### Emission inspection plans approved

The Transportation Committee, Tuesday, March 1, approved a plan requiring all passenger vehicles in the seven-county metro area to undergo annual auto emission tests. S.F. 1783, sponsored by Sen. Ember Reichgott (DFL-New Hope), was re-referred to the Environment and Natural Resources Committee.

The inspection program is designed to meet federal Environmental Protection Agency air quality standards by cutting down the amount of carbon monoxide released from automobiles, according to Reichgott.

The committee adopted several amendments to the bill. Among those was one that requires all unleaded gasoline with an octane rating of 90 or less, sold in the metropolitan area, be a gasoline blend with 3.5 oxygen content. Other amendments change the date of implementation of the program from 1991 to 1990 and require public inspection stations, rather than deputy registrars, to collect test fees.

# Committee Capsule

## Agriculture

### Organic bill discussed

S.F. 1837 insures that products labeled and sold as "organic" are indeed organic. Authored by committee chair, Charles Davis (DFL-Princeton), S.F. 1837 establishes a certifying organization made up of organic food growers, manufacturers, and sellers, to certify organically grown seeds, products, and foods. The bill carries an appropriation of \$100,000 for the start-up and initial costs of establishing the certifying organization. According to Sen. Steven Morse (DFL-Dakota), it is a personal judgement to decide whether or not you want to eat an apple with chemical residues; we should insure that those seeking organically grown products are getting what they are paying for. According to Carmen Fernholz, president of Organic Growers and Buyers Association, there is presently a problem with farmers advertising their products as organic when they are not. We need to assure consumers that products labeled and sold as organic are organic, which means that the products can be tracked from the seeds to the stores they are sold in, said Fernholz. The bill was laid over in the Agriculture Committee, Mon., Feb. 29 for further discussion.

### Watershed bill advances

Sen. A.W. "Bill" Diessner (DFL-Afton) advocates increasing the amount of money a watershed district may borrow from the county board to \$200,000 from \$50,000 in S.F. 1897. Al Dornfeld, president of the MN Association of Watershed Districts, testified in support of the bill before the Agriculture Committee, Wed., Mar. 2. He explained that the increase in borrowable funds would significantly enhance the watershed districts' ability to deal with emergencies. Sen. Gary DeCramer (DFL-Ghent) offered an amendment to S.F. 1897, clarifying that in all proceedings to construct or improve a drainage system, watershed districts must follow the procedures outlined in the Minnesota Statutes. The bill was approved, as amended, and sent to the floor.

S.F. 1936, authored by committee chair, Charles Davis (DFL-Princeton), adds two delegates from the MN Dairy Goat Association to the state agriculture society. The measure was approved and sent to the floor.

Discussion on S.F. 1742, authored by Sen. Charles Berg (DFL-Chokio), relating to changes in the right of first refusal on foreclosed farm land continued into an evening meeting on Wed. According to Berg, the two major provisions of the measure include allowing the former farmland owners to waive their right of first refusal, and eliminating the "straw man" from going around the law and interfering in a legitimate sale. Testimony was heard by proponents who felt the measure tightened up the existing law and opponents who felt that Berg needed to include measures relating to eviction and the right of first refusal. According to Berg, the bill does not deal with eviction. The measure was approved and sent to the full Senate for further action.

Senator Steven Morse's (DFL-Dakota) bill, S.F. 2129 was also approved and re-referred to the Finance Committee during the evening meeting. The bill includes: renaming the Dept. of Agriculture to the Dept. of Agriculture and Food; encouraging consumption of Minnesota Grown and processed food through a "Minnesota Grown Coupon Program" to include W.I.C. recipients; expanding the use of the Minnesota Grown label; expanding the Plant Pest Survey and Detection Program; establishing a soil testing laboratory quality assurance program for testing procedures and interpretation; and assuring availability of real dairy products.

## Commerce

### Auto insurance provisions considered

The Commerce Subcommittee on Insurance, Mon., Feb. 29, reviewed Article 5 of S.F. 1845, the omnibus insurance bill.

The article, one of nine contained in the bill, deals with collision damage waivers on rental automobiles and discrimination in the issuance of auto insurance policies. The other articles, to be discussed in future meetings, focus on administration of the insurance industry, life and health insolvencies; health insurance,

long-term care; homeowner's insurance and flood damage coverage, notaries, credit insurance and technical corrections.

Sen. William Luther (DFL-Brooklyn Park) chairs the subcommittee.

The panel continued discussion of the bill, Wed., Mar. 2, adopted several technical amendments, but took no action on the measure. Article 6, dealing with flood damage coverage, is the final section to be discussed.

### Auto title tracking bill gains

Under a bill approved by the Commerce Committee, Tues., Mar. 1, scrap metal processors, used vehicle parts dealers and vehicle salvage pools will be required to obtain special licenses to deal with used motor vehicles and parts. S.F. 1121, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), is designed to establish a system for keeping track of automobile titles and to curb the incidence of auto thefts.

Sergeant Larry Wilkens of the Minneapolis Police Department said auto thefts are on the rise. In 1987, 13,000 motor vehicles were stolen and only half of them have been recovered, he said. The bill would provide a method for locating stolen vehicles, Wilkens said.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) also approved S.F. 1867, providing safeguards for pre-paid funeral arrangements. The bill is sponsored by Sen. Pat Piper (DFL-Austin). Five liquor-related bills were also passed. S.F. 1667 (Larson) authorizes Becker County to issue a liquor license for an excursion boat. S.F. 1673 (Pehler) allows the city of St. Cloud to issue on-sale liquor licenses for the St. Cloud Civic Center. S.F. 1793 (Lessard) allows restaurants with seating capacities of 50 to obtain liquor licenses in Itasca County. S.F. 1822 (Solon) amends the cost of inside and outside signs that a wholesaler may furnish or rent to a retailer. S.F. 1692 (Solon) extends off-sale liquor store hours for the day preceding Thanksgiving from 8:00 pm to 10:00 pm. All seven bills were forwarded to the Senate floor.

### Toy gun warning approved

The Commerce Committee, Thurs., Mar. 3, approved a bill requiring manufacturers of replica or toy guns sold in the state to print warning labels on the guns' packages. Retailers would be prohibited from selling toys or replicas without a warning clearly displayed on the package. The warning must list all prohibited activities and criminal penalties associated with use of replica firearms, according to the bill.

Sen. William Luther (DFL-Brooklyn Park) said S.F. 2114 is an initial move toward outlawing the sale of replica guns within the state. Ramsey County Attorney Tom Foley spoke in support of the measure, citing several examples when accidental deaths and criminal acts involved toy guns. An attempt to amend the bill by prohibiting the sale of replica guns failed. Sen. Gregory Dahl (DFL-Coon Rapids) offered the amendment. The bill was referred to the Judiciary Committee.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), approved two other bills and forwarded them to the Senate floor. The bills were: S.F.1086 (Pehler) allowing the stocks or assets of banks or holding companies owned by charitable trusts to be sold to other banks or holding companies irregardless of whether they are based in another state, and S.F. 995 (Wegscheid) revising statutes regulating the loan and thrift industry.

## Education

### Panel debates vets' tuition

Members of the Education Committee Higher Education Division discussed S.F. 151, authored by Sen. Joe Bertram (DFL-Paynesville), Fri., Feb. 25. The division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), laid over the bill.

S.F. 151 would exempt veterans who served between July 1, 1961, and July 1, 1978, from paying tuition at Minnesota technical institutes, provided that they are Minnesota residents who have not previously completed a tuition-free post-secondary vocational-technical school program. The exemption remains until the veteran has completed either 440 school days (or the equivalent), or one of the schools' programs.

Under current law, veterans who served between those years are eligible for the exemption only if enrolled before July 1, 1985; Vietnam veterans are eligible for the exemption if enrolled before July 1, 1990.

Jeff Olson, from the Department of Veterans Affairs, said that the bill would help the veterans who began working immediately after returning from Vietnam. The federal G.I. benefits have expired for most Vietnam veterans, he said.

In other action, division members present approved S.F. 1860, authored by Sen. Gary DeCramer (DFL-Ghent), appropriating \$130,725 to the State Board of Vocational-Technical Education to establish library services at the four campuses of Southwest Technical Institute; and S.F. 1859, also authored by DeCramer, allowing the board of a joint vocational-technical district to hold meetings outside of a member district. Because a quorum was absent, the bills will again be heard by the division.

### **Task force on child care approved**

Members of the Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved S.F. 1228 and S.F. 1705 Mon., Feb. 29. The committee laid over S.F. 2137.

S.F. 1228, authored by Sen. Steven Morse (DFL-Dakota), changes the status of the student member of the Higher Education Coordinating Board (HECB) from nonvoting to voting.

S.F. 1705, authored by Pehler, establishes a task force on child care in higher education. The bill provides for student and faculty-administrative representation on the task force and requires that the task force submit recommendations to the Higher Education Division of the Education Committee by Jan. 15, 1989.

The intent of S.F. 1705, Pehler said, is to get an overall view of the child care needs in higher education in Minnesota, rather than having each system present its needs separately. Both S.F. 1705 and S.F. 1228 will next be heard by the full Senate.

### **Panel approves TI board change**

The Higher Education Division of the Education Committee approved S.F. 1973, authored by Sen. James Pehler (DFL-St. Cloud) Tues., Mar. 1. The bill transfers governance of post-secondary and extension vocational education to the State Board of Vocational-Technical Education.

Currently, although the board allocates money to the state Technical Institutes, many policy decisions regarding the institutes are made by the local school boards.

The division also approved S.F. 444, authored by Sen. Gene Waldorf (DFL-St. Paul), regarding uniting community colleges and technical institutes under one governing board. As amended by the author's delete everything amendment, S.F. 444 established a task force to develop procedures necessary to unite community colleges and technical institutes under one governing board. The purpose of the amendment, Waldorf said, is to make the task force's objective the achievement of the merger, not the study of whether a merger should take place.

However, an amendment proposed by division chair Sen. Gregory Dahl (DFL-Coon Rapids) and approved by the division changes the task force's objective. As amended, the objective of the task force is to review the governance of the Technical Institutes and the question of merging community colleges with technical institutes, as well as to evaluate governance options and develop implementation procedures.

Both S.F. 444 and S.F. 1873 were re-referred to the Education Committee.

In other action, division members approved, as amended, S.F. 151, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville). The bill will extend the deadline for a Vietnam veteran who meets certain requirements to enroll in a tuition-free program at a Technical Institute from July 1, 1990, to July 1, 1993.

Also approved were S.F. 1860 and S.F. 1859, both authored by Sen. Gary DeCramer (DFL-Ghent). S.F. 1860 appropriates \$130,725 to the State Board of Vocational-Technical Education for library services at the four campuses of Southwest Technical Institute, and S.F. 1859 allows the board of a joint vocational-technical district to hold meetings outside of a member district.

All three bills were referred to the Education Committee.

### **Senators approve four bills**

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved S.F. 2137, authored by Pehler, Wed., Mar. 2. The bill modifies requirements relating to school health services, including the administration of prescription drugs to pupils, and states that every school board must provide services to promote the health of its pupils. The bill will next be heard on the Senate floor.

S.F. 1911, the Education Aids conversion bill, authored by Sen. Randolph Peterson (DFL-Wyoming), was also approved and sent to the Senate floor. S.F. 1911 makes some substantive changes, but is not intended to make any major policy changes, Peterson said.

Committee members also approved S.F. 1929, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), and S.F. 1616, authored by Sen. David Frederickson (DFL-Murdock). S.F. 1929 approves, on contingency, a capital loan of not more than \$1,300,000 to Independent School District No. 738, Holdingford. The contingency is approval by the district voters. S.F. 1616 approves, on contingency, a capital loan of not more than \$6,285,000 to Independent School District No. 637, Redwood Falls. The contingency is approval by the district voters. Both bills were re-referred to the Finance Committee.

### **Panel debates Rochester center**

The Higher Education Division of the Education Committee discussed S.F. 2152, authored by Sen. Gene Waldorf (DFL-St. Paul), regarding the Greater Rochester Area University Center (GRAUC), and heard a presentation from Robert Carothers, chancellor of the State University System. The division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), did not take any action, during the Wed., Mar. 2, meeting.

The case has been made that there is an educational need in the Rochester area, Waldorf said, and S.F. 2152 recognizes that need. The bill establishes the university center at Rochester and assigns it the responsibility of arranging for the services of accredited higher education institutions in Rochester. The bill appropriates \$1.9 million in fiscal year 1989 to the university center.

Three amendments to S.F. 2152 were distributed but not discussed. The division will continue debate on the bill during its next meeting, Dahl said.

Carothers told the members that because enrollment in the State University System has increased, the two-year lag between enrollment and funding has meant that the system has unfunded students.

### **Education Aids**

#### **Members look over omnibus bill**

The Education Committee Education Aids Division, chaired by Sen. Randolph Peterson (DFL-Wyoming), discussed parts of S.F. 2024, the education aids omnibus bill, authored by Peterson, Thurs., Feb. 25. Portions discussed included the Minnesota Education Effectiveness Program (MEEP), the Governor's Scholarship Program, Acquired Immune Deficiency Syndrome (AIDS) prevention, community service opportunities, and increasing supplemental aid.

Division members also discussed S.F. 1873, authored by Sen. Ember Reichgott, (DFL-New Hope), which changes the training and experience revenue and the minimum allowance aid formulas; and S.F. 1747, authored by Sen. Gary DeCramer (DFL-Ghent), relating to American Indian education.

#### **Desegregation, Indian education discussed**

S.F. 1878, authored by Sen. Donna Peterson (DFL-Mpls.), was the target of discussion in the Mon., Feb. 29, meeting of the Education Committee Education Aids Division. The bill establishes an Indian school council to develop recommendations regarding Indian education.

The bill states that the intention of the Legislature is to establish opportunities for Indian control of Indian education through Indian public schools, an urban Indian school district or districts, or other means. Peterson told division members that S.F. 1878 is an attempt to give Indians a voice in how their children are educated, but leaves many options open in terms of how this could be done.

Division members also discussed the Governor's recommendations concerning desegregation and heard testimony on the topic from representatives of the St. Paul, Minneapolis and

# Committee Capsule

Duluth school districts.

The Governor has recommended appropriating about \$12 million to the Dept. of Education for grants to Minneapolis, St. Paul and Duluth to cover desegregation costs within each district. He has also recommended a \$3 million appropriation to the department for implementing the recommendations of the State Board of Education on developing voluntary interdistrict desegregation programs.

## Elections and Ethics

### Political contributions bill okayed

The Elections and Ethics Committee approved S.F. 2021, authored by Sen. John Marty (DFL-Roseville), Wed., Mar. 2. The bill applies campaign expenditure limits to only those candidates whose opponents also agree to the limits. Under current statute, candidates may qualify for a public subsidy if they agree to voluntary campaign expenditure limits.

The intent of the bill, Marty told the committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), is to encourage candidates to agree to the limits.

In addition, the bill requires political contributions by individual members of political funds or committees which are solicited by the fund or committee to be reported as attributable to the fund or committee. S.F. 2021 will be sent to the full Senate.

Committee members also approved S.F. 1826, authored by Sen. Don Samuelson (DFL-Brainerd). The bill provides that certain vacancies in county offices be filled by appointment until a successor is elected at the next general election. The bill was sent to the Senate floor.

The committee also approved S.F. 1780, authored by Sen. Don Frank (DFL-Spring Lake Park), relating to public campaign finance limits clarification; and laid over S.F. 1846, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), relating to precinct boundary changes. S.F. 1780 will be placed on the Senate Consent Calendar.

## Employment

### Workers' comp discussions continue

Members of the Employment Committee began their week Tues., Mar. 1, by wrapping up discussion on the Legislative Auditor's report on the workers' compensation system.

In other action, the committee began discussion on S.F. 1442, providing for reporting and disclosure requirements for shortline railroad acquisitions. Under the bill, authored by Sen. James Pehler (DFL-St. Cloud), contracts between acquiring railroad carriers and shippers, and between acquiring railroad carriers and governmental entities would be preserved, thus eliminating the uncertainty that goods would not be transported. In addition, the bill specifies various benefits for workers who were not hired by the acquiring carrier and establishes a priority order for hiring by the acquiring carrier. No action was taken on the measure because of time limitations.

### Shortline rail bill advances

Committee members met Thurs., Mar. 3, resumed their discussion of S.F. 1442, the measure providing for reporting and disclosure requirements for shortline railroad acquisitions. Opponents of the measure were given an opportunity to speak at the hearing. Generally, opposition was based on the increased rates the rail lines would have to charge because of the provisions in the bill relating to employee protections. However, chief author Sen. James Pehler (DFL-St. Cloud), successfully argued that the measure would allow the shortline railroads to continue operation rather than be abandoned. The panel approved the bill and re-referred the measure to the Agriculture Committee.

In other action, the committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), advanced four additional measures. S.F. 1864, authored by Sen. Jerome Hughes (DFL-Maplewood), establishes an elevator inspections division within the Dept. of Labor and Industry to provide periodic inspections of elevators throughout the state. The bill was re-referred to the Governmental Operations Committee. S.F. 1719, sponsored by Chmielewski, increases the penalties for OSHA violations by 50

percent. The measure was re-referred to the Finance Committee.

S.F. 2039, authored by Sen. Michael Freeman (DFL-Richfield), amends the Youth Summer Employment Program to allow the program to extend beyond the summer to a total of 480 hours. Further, the bill prohibits the displacement of workers by hiring persons under the Youth Employment Program. S.F. 2117, sponsored by Sen. A.W. "Bill" Diessner, (DFL-Afton), makes technical changes in the statute concerning nonlicensed facilities performing breath tests for alcohol. Both bills were forwarded on to the full Senate.

## Environment and Natural Resources

### Panel approves three waste bills

A major waste management bill that will force the state away from dependence on landfills for disposal of solid waste to more reliance on recycling and other forms of waste processing gained approval, Thurs., Feb. 25, from the Subcommittee on Environmental Protection.

The subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids) voted 4 to 3 in favor of S.F. 1891, authored by Sen. Gene Merriam (DFL-Coon Rapids).

An amendment to the bill, offered by Merriam, abolishes the establishment of any new solid waste landfill sites in the seven-county metro area. The bill also provides that buildings subject to the state building code must provide space for separation and storage of recyclable materials; adds industrial wastes to existing provisions relating to hazardous waste processing and loans; establishes waste tire programs; provides for collection of used oil and prohibits the disposal of used oil on the land without prior approval; and makes industrial waste facilities eligible for processing facility loans.

The subcommittee also approved S.F. 1836 which appropriates money for a loan to the Western Lake Superior Sanitary District (WLSSD). The bill originally provided for a \$5.8 million loan to the WLSSD to cover costs for the repair of faulty sewage pipes but was amended to \$3.5 million. The decrease is due to the availability of substantially reduced bond payments, according to the bill's sponsor, Sen. Sam Solon (DFL-Duluth). Under the bill, the loan will be repaid by Oct. 1, 1997. The WLSSD is entering into litigation with the manufacturers of the piping and the contractors responsible for installing the piping to recover repair costs incurred by the agency. If the WLSSD wins the suit, the proceeds must be applied immediately to the state loan.

In other action, the subcommittee approved S.F. 1763, authored by Sen. Darril Wegscheid (DFL-Apple Valley), imposing a fee to be collected by counties for the disposal of mixed municipal solid waste and providing for collection and distribution of the fee to the counties generating the waste. The bill also allows counties to enter into agreements for recycling of solid wastes.

All three bills were forwarded to the Environment and Natural Resources Committee.

### Experimental seasons okayed

Experimental hunting and fishing season bills gained the approval of the Subcommittee on Fish and Wildlife, Thurs., Feb. 25, and were referred to the Environment and Natural Resources Committee.

Authored by Sen. Jim Vickerman (DFL-Tracy), S.F. 1568 allows a two week early angling opener in 1988 and 1989 for areas south of U.S. trunk highway No. 12. The area includes all of the seven-county metropolitan area. The statewide fishing opener traditionally opens on the Saturday closest to May 15.

Subcommittee chair Charles Berg (DFL-Chokio) sponsored S.F. 1748, which shortens the season for pheasant hunting from 50 days to 37 days during the 1988 and 1989 seasons. The bill also initiates an open season on mourning doves in 1988 and 1989. The bill further allows fox hunters to enter unposted private land while in pursuit of fox during the 1988-89 seasons. The provision applies to hunters on foot only. Finally, the bill allows the taking of blackbirds, cowbirds, grackles, magpies and crows if they are about to cause damage to trees or shrubs or if they are concentrated in groups large enough to pose a health hazard.

The subcommittee also approved and referred to the

Environment and Natural Resources Committee a bill that adds duck boats to the types of watercraft that must be equipped with personal flotation devices. S.F. 1698 is authored by Sen. Darril Wegscheid (DFL-Apple Valley).

In other action, the subcommittee agreed to lay over S.F. 1916 sponsored by Sen. LeRoy Stumpf (DFL-Plummer). The bill would allow the commissioner of natural resources to designate muskelunge lakes by rule rather than through the public hearing process.

### Panel okays four bills

The Environmental Protection Subcommittee, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), met Mon., Feb. 29 and Tues., Mar. 1, and forwarded four bills to the Environment and Natural Resources Committee.

On Feb. 20 the subcommittee approved S.F. 1927, sponsored by Sen. Steven Morse (DFL-Dakota), requiring certification of soil, air and water testing labs by the Dept. of Health and S.F. 1665 (Dahl) authorizing the PCA to train sewage treatment system employees.

The two bills approved Mar. 1 were S.F. 2131 (Dahl) prohibiting government agencies and takeout food vendors from buying and using frozen food packages manufactured with chlorofluorocarbon, a pollutant, and S.F. 1952 (Gustafson) authorizing sanitary districts to receive assistance from the waste management board for solid waste programs.

S.F. 2116 (Dahl), requiring direct billing for collection and disposal of certain wastes, was laid over for interim study.

The subcommittee discussed S.F. 1754 (Pogemiller), providing financing methods for removing hazardous wastes in areas needing economic development but held it over for future discussion. The panel also discussed S.F. 2010 (Chmielewski) exempting "innocent landowners" from liability for gas tank cleanup costs and S.F. 2053 (Wegscheid) requiring the PCA to reimburse small business operators for processing hazardous wastes into non-hazardous wastes.

### Treaty agreement ratified

Ratification of an agreement between the state and the Grand Portage, Bois Forte and Fond du Lac Bands of Chippewa Indians gained the support of the Public Lands and Waters Subcommittee, Tues., Mar. 1.

The bill, S.F. 2141, sponsored by Sen. Douglas Johnson (DFL-Cook), ratifies an agreement involving the 1854 Treaty between the U.S. government and the Lake Superior Chippewa Indians. Under that agreement, the Indians ceded ownership of most of northeastern Minnesota but retained hunting and fishing rights in the ceded territory. The new agreement, involving the state and the three bands, stipulates that the Indians will receive approximately \$5.5 million annually in exchange for giving up exclusive hunting and fishing rights in the ceded area, not including reservation lands. The Indians will continue to follow tribal laws governing hunting and fishing on reservations.

Representatives of the tribal governments attended the hearing and said they supported the bill. Johnson said both the state and the Indians hope that through the legislation they may be able to avoid the type of hunting and fishing disputes that have occurred in Wisconsin over similar matters.

The subcommittee, chaired by Sen. Steven Novak (DFL-New Brighton) heard and passed 21 other bills to the Environment and Natural Resources Committee. The following bills involved small land transfers or sales of tax-forfeited lands. Included in those passed were: S.F. 1982, S.F. 1983, S.F. 2215 and S.F. 2216 (Johnson, D.J.), S.F. 1572 (Davis), S.F. 1947 (Dicklich), S.F. 2213 (Moe, R.D.), S.F. 1713, S.F. 1717, S.F. 1722 (Chmielewski), S.F. 2217 (Novak), S.F. 1994 (Peterson, R.W.), S.F. 1931 (Frederick), S.F. 1493 (DeCramer) and S.F. 1806 (Stumpf).

The panel also approved S.F. 517 (Stumpf), providing for development of state land to produce wild rice, S.F. 2214 (Merriam) authorizing the commissioner of natural resources to sell surplus state lands, S.F. 2212 (Samuelson) authorizing development of the Heartland Trail, S.F. 1823 (Samuelson) stipulating situations where a watershed board may be terminated, S.F. 1632 (Knaak) authorizing coordinated erosion and sediment control programs and S.F. (Laidig) scheduling the payments of certain watershed improvement costs.

### Bear hunting provisions win support

The Environment and Natural Resources Committee approved six bills, Wed., Mar. 2, including one that allows hunters to use dogs while hunting bear.

Sen. John Bernhagen's (R-Hutchinson) bill, S.F. 890, is experimental for the 1988 and 1989 bear seasons and provides that only state residents may obtain dog use permits. Other bills that were approved and moved to the Senate floor included: S.F. 1691 (Berg) allowing riparian landowners to aerate public waters without a permit; S.F. 1701 (Pogemiller) designating *Castoroides ohioensis*, or giant beaver, the official state fossil; S.F. 1573 (Benson) allowing residents under age 16 to obtain a turkey license if they possess a firearms safety certificate; S.F. 1698 (Wegscheid) requiring duck boats to be equipped with life jackets; and S.F. 1731 (Merriam) designating a Minnesota-Wisconsin border trail the Willard Munger Trail.

### Finance

#### Budget overviews presented

Chairman Carl Kroening (DFL-Mpls.) called the State Departments Division of the Finance Committee to order, Thur., Feb. 25 to address budget requests from the lieutenant governor's office, the Dept. of Labor and Industry, and the Dept. of Administration.

Ken Bresin from the lieutenant governor's office explained that they need \$50,000 from the general fund for fiscal year 1989 for staff salaries, two new computers, computer software, and a laser printer.

Ken Peterson from the Dept. of Labor and Industry told the committee that the department is requesting \$135,000 for fiscal year 1988 to conduct a medical cost study of workers compensation. According to Peterson, no one has ever looked at medical costs within the workers compensation system. Kroening asked Peterson why this wasn't done last year when the legislature mandated the Dept. of Labor and Industries to conduct a comprehensive review of the workers compensation system. According to Peterson, it was because there wasn't adequate time to do a comprehensive study on medical costs; the study would take two years.

Dick Diercks from the Dept. of Administration outlined the department's requests, including \$2.1 million for fiscal year 1989 to relocate offices and \$750,000 for fiscal year 1988 to provide program planning and preparation of plans for the Labor History Interpretative Center. Sen. Donald Moe (DFL-St. Paul) asked why the government offices are being dispersed out of the capitol area and into the industrial areas of St. Paul. According to Moe, the commitment is to relocate public offices into private buildings; there is no commitment to build public office buildings near the capitol. He advocated canceling all of the Dept. of Administration's relocation plans and building plans until all of the state offices are located in buildings near the capitol.

#### Department overviews presented

The Dept. of Jobs and Training Commissioner, Joe Smargia, presented a budget overview to the Health and Human Services Division of Finance, Mon., Feb. 29. According to Smargia, 70,000 new jobs were created in 1987 and the state unemployment rate over the past two years has averaged at 5 percent compared to 10 percent in 1983. Nationally, Minnesota is ranked twenty-first in unemployment insurance taxes and second in unemployment benefits, said Smargia.

He also briefly outlined the governor's Jobs 2000 Fund. According to Smargia, Jobs 2000 is a rapid response, early prevention program to provide training and employment services to dislocated workers. It will be funded by a .07 percent tax on wages levied on both employees and employers. Self-employed individuals who are incorporated must also pay the tax. Smargia added that the program has neither the business community's support, nor the labor community's support.

The Headstart funding for fiscal year 1989 was also discussed. The governor has recommended \$1 million in appropriations to provide additional services to low-income families through Headstart. Currently, Headstart serves 26 percent of the targeted population.

The State Departments Division of Finance, chaired by Sen. Carl Kroening also met Mon., Feb. 29 to hear budget overviews from the

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Dept. of Military Affairs, Dept. of Employee Relations, Dept. of Human Rights, the Pollution Control Agency, and the IRRRB.

## Divisions hear requests

The State Departments Division of the Finance Committee, chaired by Sen. Carl Kroening (DFL-Mpls.), heard budget overviews from the Dept. of Trade and Labor and the Supreme Court. The Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), also met on Tues., Mar. 1 to hear the University of Minnesota Biological Sciences Report.

Vice President Vanselow of the University of Minnesota Biological Sciences Dept. opened the discussion by providing an overview of the comprehensive plan for biological sciences. According to Vanselow, the plan consists of three phases: Phase I includes the appropriation of \$10.2 million for planning schematics of the biomedical engineering building; Phase II includes an appropriation in the 1989 legislative session of \$22.7 million for an addition to the College of Biological Sciences on the St. Paul campus; Phase III includes an appropriation in the 1990-91 legislative session for \$80.9 million to construct a basic science biomedical engineering building to house laboratories and administrative office. Sen. Glen Taylor (IR-Mankato) expressed his concern for the requests, stating that the University must be held accountable. Sen. Gregory Dahl (DFL-Coon Rapids) expressed his concern that it is his impression that biological sciences research far outweighs teaching. According to Biological Sciences Dean Magee, professors at the U teach an average of two courses each year—one class, four times a week. Dahl also advised seeking out additional bids for the biological sciences' project in order to compare prices.

## Divisions discuss issues

The Health and Human Services Division of Finance, chaired by Sen. Don Samuelson (DFL-Brainerd), discussed the state takeover of income maintenance, the Blue Cross, Blue Shield deficit, and regional treatment center issues on Wed., Mar. 2.

The Education Division of the Finance Committee also met Wed., Mar. 2, to hear the technical institute and state university operating budgets. Joe Graba from the Minnesota Technical Institute System explained that providing equal life long access to the technical institutes is the number one priority of the technical institute's administration. According to Graba, there has been an incredible increase in new enrollees age 26 and older and a continuous decrease in new enrollees age 18 and under while the enrollment of 18-25-year-olds has remained constant. The technical institute system's legislative requests include: \$2 million for restructuring the course system to the credit system; \$1.6 million to meet the needs of the handicapped students; \$2 million to deal with tuition increasing from 25 percent to 26 percent of instructional costs; and \$1 million for student child care costs.

Robert Carothers, chancellor of the state university system, explained that there has been a rapid increase in enrollment in the state university system. In fact, the state university system was the largest provider of baccalaureate degrees in the state. Carothers outlined the 1988 legislative budget request: \$17.6 million for underfunded student enrollment; \$1.8 million to offset the sales tax imposed on the state university system by the legislature; \$1.5 million to retain students through campus employment; \$5 million to attract quality faculty; \$3.6 million to fund University Service in Action; and \$525,000 to fund Southwest State University's Science and Technology Resource Center.

## General Legislation and Public Gaming

### Dog pound and dangerous dog bills gain

Under current law, municipal animal pounds are required to turn over to research institutes impounded animals not claimed within five days. The General Legislation and Public Gaming Committee, Fri., Feb. 26, approved S.F. 308, a bill that would repeal the law and give local governments authority over the impounded animals. The bill was sent to the Senate floor.

Sen. Gene Merriam (DFL-Coon Rapids), sponsor of the bill, said the measure is not designed to prohibit research on animals but to

protect people's personal property from being turned over to a third party without their consent.

S.F. 308 changes provisions of the 1949 Pound Seizure Act by requiring that a dog or cat bearing identification cannot be turned over to a research facility without the written consent of the owner. If an animal that is deemed a pet because of its appearance and demeanor is not claimed by its owner, the animal will be adopted out or humanely euthanized, according to the bill. The bill also provides that a pound may not turn over any animals to institutions not licensed by the Board of Animal Health; that the pound post a conspicuous sign on its premises stating that animals left there may be conveyed to an institution for research and teaching purposes; that pounds be open for at least four hours on either Saturdays or Sundays; and that a pound that holds a cat or dog bearing identification must make an attempt to contact the pet's owner.

The committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul) also approved a measure regulating dangerous and potentially dangerous dogs and referred it to the Judiciary Committee. S.F. 1744, authored by Sen. Charles Berg (DFL-Chokio) requires that dangerous dogs be registered in the owner's county of residence. Certification of registration may be granted if a proper enclosure exists for the dog; if a visible warning sign is posted on the premises; and if the owner has obtained a surety bond or liability insurance that will pay at least \$50,000 to any person injured by the dangerous dog. If the certification requirements are not met, the county may confiscate the dog.

In addition, the bill states that cities and counties may place additional restrictions on the owners of dangerous dogs.

Millie Johnson of St. Paul, whose son was seriously injured in a pit bull attack, spoke in support of the measure.

### Lottery bill brought back

Enabling legislation for a state-run lottery gained approval, Wed., Mar. 2, on a 5 to 4 vote in the General Legislation and Public Gaming Committee. The bill, S.F. 727, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls) was essentially unchanged from the one defeated in the committee Feb. 17 on a 4 to 4 vote with one abstention.

Lessard said the bill to place the lottery question on the general ballot "has been incubating in Rules [and Administration Committee] for about a year. I think it's about ready to hatch." S.F. 727 sets the framework for operation of a lottery should voters approve its establishment. The only amendment to the bill was one prohibiting the sale of lottery tickets in on-sale liquor establishments. Sen. Don Samuelson (DFL-Brainerd) offered the amendment.

Committee members who opposed the measure were most concerned that the lottery proceeds, an unstable source of funding, would be dedicated for major budget items such as environment or education programs. Lessard said dedication provisions are not contained in the bill but they may be added later in the process of getting the measure passed.

The committee also approved two other gambling-related measures, both authored by committee chair Sen. Marilyn Lantry (DFL-St. Paul), and sent them to the Senate floor.

S.F. 1765 gives Canterbury Downs more time to prepare and submit its certified financial statement. S.F. 1764 extends the time period city councils and county boards have for approving new or considering renewal of charitable gambling licenses.

## Governmental Operations

### Senators okay advisory commission

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved S.F. 1930 Tues., Mar. 1. The bill, authored by Sen. Roger Moe (DFL-Erskine), establishes the Minnesota advisory commission on intergovernmental relations.

According to the bill, the commission would serve as a forum for the discussion and resolution of intergovernmental problems; engage in activities and make studies and investigations related to the current structure of the political subdivisions of the state; consider ways to foster better relations among political subdivisions

and between them and the state; and consider the need for constitutional amendments, among other things. S.F. 1930 was re-referred to the Finance Committee.

Committee members also discussed S.F. 1987, authored by Sen. John Marty (DFL-Roseville); S.F. 1939, authored by Sen. David Frederickson (DFL-Murdock); and S.F. 1888, authored by Sen. Darril Wegscheid (DFL-Apple Valley). All three bills were laid over.

S.F. 1987 states that it is Minnesota's policy to maximize the percentage of state employees who are employed on a full-time, rather than part-time, basis; S.F. 1939 regards benefits and a probation period for probation officers who are moved from county to state employment; and S.F. 1888 extends the "prompt pay" law to providers of medical and social services.

### **Senators debate retirement plans**

The Governmental Operations Committee discussed S.F. 980 and S.F. 489, both authored by committee chair Sen. Donald Moe (DFL-St. Paul), and S.F. 1969, authored by Sen. Gene Waldorf (DFL-St. Paul). The committee did not vote on any of the bills.

S.F. 980, Moe said, is to help establish more control of the state pension system. The bill clarifies and revises the duties of the public pension plan fiduciaries.

S.F. 1969 establishes a defined contribution plan as an option for state university and community college faculty. A defined contribution plan would offer some advantages to the faculty because they tend to be shorter-term employees, Waldorf said.

Russ Stanton, a representative of community college and state university faculty, told the committee that a defined contribution plan would provide a number of advantages to faculty members, including offering immediate vesting and allowing the participant a good deal of control over when they retire.

S.F. 489 changes the normal retirement age for certain state employees from 65 to 62 and provides a leveling of the benefit formula, Moe said.

## **Health and Human Services**

### **Three bills discussed**

The Health and Human Services Committee met Fri., Feb. 26, and discussed three bills; S.F. 1663, authored by Sen. Marilyn Lantry (DFL-St. Paul), S.F. 1680, authored by committee chair, Linda Berglin (DFL-Mpls.), and S.F. 1904, authored by Sen. Pat Piper (DFL-Austin).

### **Bed transfer okayed**

Sen. Marilyn Lantry (DFL-St. Paul) presented S.F. 1918, Pleasant Hills Nursing Home beds to be transferred and relocated to Mounds Park Hospital. According to Lantry, who presented the bill at the Health and Human Services Committee, Tues., Mar. 1, the transfer will include 90 beds within a 3.8 mile distance. Additionally, Lantry offered an amendment to her bill to allow the Amherst Wilder Foundation to transfer up to 40 beds to be transferred from one of their existing facilities to a new facility less than a block away. The bill was approved, as amended, and sent to the full Senate.

Committee chair, Linda Berglin (DFL-Mpls.) presented S.F. 1975 which was laid over for further discussion. The major provisions of the bill relating to nursing homes include: increasing the nursing home resident personal allowance to \$45.00; changing nursing home property-related costs and operating provisions; authorizing the housing finance agency to make loans to nursing homes; and requiring a report on the impact of federal law changes. A friendly amendment offered to the bill by Lantry was adopted, requiring nursing homes, built after June 30, 1988, to meet interior summer design temperatures and humidity recommendations as specified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers.

### **Six bills advance**

Sen. Roger Moe (DFL-Erskine) opened the Health and Human Services Committee, Wed., Mar. 2, with his presentation of S.F. 1970, exempting Indian health service facilities from rate establishment and requiring rate establishment for out-of-state hospitals. The measure was approved and sent to the floor.

Other committee action included approval of S.F. 1912, authored by Sen. Michael Freeman (DFL-Richfield), S.F. 1620 and S.F. 1391, authored by Sen. Pat Piper (DFL-Austin), S.F. 1869, authored by

committee chair, Linda Berglin, and S.F. 1988, authored by Sen. Allan Spear (DFL-Mpls.).

According to Freeman, S.F. 1912 is the Hunger Reduction Act of 1988. The provisions of the bill include: requiring the commissioner of health to implement an infant formula rebate system for the W.I.C. program; requiring written materials provided to clients under programs administered or supervised by the departments of health, human services, and jobs and training to be in plain language readable at a seventh-grade level; and establishing an income assistance grant program to increase the use of food stamps by homeless individuals. The bill was re-referred to the Finance Committee because it carries fiscal notes of \$500,000 for the W.I.C. program and \$250,000 for the food stamp outreach program.

Piper explained that S.F. 1620 is a bill initiated by the Dept. of Human Services and is basically a housekeeping bill. The Measure was sent to the floor following approval. S.F. 1391, explained Piper, establishes cultural opportunities for low-income families with one child under age 13 and meeting the low-income energy assistance program guidelines. The measure includes: providing half-price admission to the state zoo, state camp sites, and state fair; and allowing families to attend cultural and recreational events at a reduced price. According to Piper, there is a limit of six reduced price coupons for events per family per year. S.F. 1620 was re-referred to the Finance Committee because it carries an appropriation of \$100,000 for administration costs. The program would be administered by the Dept. of Jobs and Training through the Community Action Programs.

According to Berglin, S.F. 1869 amends the mental health legislation passed last session. Essentially, the measure refines the comprehensive mental health act and transfers \$1.7 million for state mental health grants from fiscal year 1988 to fiscal year 1989, and \$250,000 for information systems to the state systems account. The controversial provision of the bill relates to the data practices act. S.F. 1869 advocates releasing patient names and addresses, with patient consent, to the county for billing purposes. The bill was sent to the Finance Committee for approval of the money transfer.

S.F. 1988 requires hemoglobinopathy tests to be included in the tests given to infants at birth. Spear explained that the additional test would be financed by raising the testing fees. The measure carries a fiscal note of \$140,000 for the increase in laboratory fees. It was re-referred to the Finance Committee for further action.

### **HMO bills addressed**

Bills on HMO insolvency and HMO insurance, previously laid over, were addressed during the Health and Health Finance Division of Health and Human Services Committee, Tues., Mar. 1. Two additional bills were also discussed S.F. 1926 and S.F. 1388, during the evening meeting chaired by Sen. John Brandl (DFL-Mpls.).

Sen. James Pehler's (DFL-St. Cloud) bill, S.F. 1861 relating to HMO insurance was approved and sent to the full Health and Human Services Committee. It includes: requiring replacement coverage in the event an HMO cancels coverage; increasing state comprehensive health plan liabilities in the event a member terminates coverage; and increasing HMO notice requirements and annual reporting requirements. It also requires HMOs to establish a hotline for enrollees.

Brandl's bill, S.F. 2008, relating to HMO insolvency underwent some major changes during the hearing. Amendments included: changing the networth requirement deposit from two months to one month; altering restrictions on HMO asset investment; requiring a deposit of 38 percent instead of 50 percent of uncovered expenses or \$500,000; allowing an HMO's deposit requirement to be met by a guaranteeing association; and allowing an HMO to satisfy one-half of its deposit requirement through a letter of credit by a bank.

S.F. 1926, authored by Sen. Ronald Dicklich (DFL-Hibbing), was briefly discussed and laid over for further action. The measure includes: requiring HMOs to demonstrate the ability to guarantee payments to providers in the event of insolvency; requiring an escrow account to ensure payments to providers; requiring an annual public report on the financial health of each HMO and nonprofit health service plan; creating an interagency panel to hear appeals concerning disputes between HMOs and providers;

requiring HMOs to exercise nondiscriminatory practices towards potential providers; and requiring prompt payment to providers.

S.F. 1388, sponsored by Sen. Linda Berglin (DFL-Mpls.), establishes a HMO Bill of Rights for enrollees. The measure includes providing for a reconsideration process if service is denied or limited; and allowing for a determination of urgent need. Berglin's bill was approved, along with Brandl's bill, and sent to the Health and Human Services full Committee.

## Judiciary

### Police pursuit bill discussed

A bill increasing the penalty for fleeing a peace officer provided the focal point for discussion at the Fri., Feb. 26, meeting of the Criminal Law Division. The bill, S.F. 1821, also contains a provision for seizure without process of a motor vehicle if the vehicle was used in fleeing a police officer. Several witnesses testified in support of the bill. However, division members expressed concern that the felony penalty contained in the bill might lead to fewer convictions than a gross misdemeanor penalty. In addition, division members, while agreeing that the forfeiture provision is central to the measure, expressed concern about the mechanics of the forfeiture process. The bill, sponsored by Sen. Ember Reichgott (DFL-New Hope), was laid over in order to draft amendments remedying division concerns.

### Human rights bill examined

Members of the Civil Law Division, chaired by Sen. Tad Jude (DFL-Maple Grove), devoted the lion's share of the Fri., Feb. 26, meeting to discussion of S.F. 1769, the bill amending the state's Human Rights Act. The measure, sponsored by Sen. Ember Reichgott (DFL-New Hope), adds a definition of "marital status" that includes discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse and provides that failure to implement the findings of a job evaluation system would be prima facie evidence of sex discrimination in all proceedings. Other changes in the bill include prohibiting property owners from restricting access to blind or deaf persons with guide dogs or charging extra compensation for the guide dog; increasing the time period for bringing a civil action for discrimination from 300 days to 1 year; and increasing the maximum penalty for punitive damages from \$6,000 to \$25,000. The measure failed to get division approval on a motion that the bill be sent to the full committee with a recommendation to pass and will be brought before the division at a later date.

In other action, the division approved a bill altering the statute of limitations for damages stemming from construction related litigation. The bill, S.F. 1532, sponsored by Sen. Michael Freeman (DFL-Richfield), was amended to include a change in the limitation on certain asbestos actions. The measure was forwarded on to the full committee.

### Computer crime bill advances

Members of the Criminal Law Division met Tues., Mar. 1, and approved an amended version of S.F. 1553, the computer crime bill. The measure, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), makes it a crime to gain unauthorized access to computer systems. Further, the bill specifies levels of severity in the penalty provisions of the measure. For instance, a person who is guilty of unauthorized computer access in a manner that causes a grave risk of interrupting public utility service, or interrupting, modifying, or destroying medical research of critical life support information, is guilty of a felony and may be sentenced to a term of imprisonment of up to ten years, a fine of up to \$20,000, or both. The measure also specifies that a person is guilty of selling protected data if the person makes contact with a computer system and thereby gains access to data that are not public data as defined in statute, transfers the data to a person who is not authorized to receive the data and receives money or any other thing of value in exchange for the data.

The division, chaired by Sen. Donna Peterson (DFL-Mpls.), also discussed three measures dealing with child abuse reporting. The first measure, S.F. 1523, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires that clergy be included in the list of those persons mandated to report child abuse. However, division members were

unable to come to agreement on the language necessary to accomplish the goal of the measure. The bill was thus laid over for further work.

S.F. 1871, authored by Sen. Jim Ramstad (IR-Minnetonka), makes it a misdemeanor to falsely report child abuse with the intent of influencing a child custody hearing. The measure was approved and referred to the full committee. S.F. 2119, authored by Sen. Allan Spear (DFL-Mpls.), clarifies the assessment duties of the local welfare agency and provides time limits for the retention of records in child abuse reporting cases.

The final bill heard by the division, S.F. 1693, allows the Crime Victims Reparations Board to reimburse a person for reasonable expenses incurred in returning a child who was either kidnapped or taken by someone with the intent to deprive another of parental rights. Controversy on the bill surrounded several sections dealing with changes in the "Son of Sam" laws currently in statutes. "Son of Sam" laws were enacted in several states in order to prevent a criminal from receiving profits from the sale of book, film, or television rights that chronicled the crimes of the criminal. Under current law, monies received from books, films, or television sales are held for a period of five years so that the crime victims could make a claim against those funds. Under the bill, after the five year period, the funds would go to the Crime Victims Reparations Board. Debate centered on an amendment that would allow the funds to go to the criminal after ten years, or the term of incarceration, whichever is longer. The amendment was adopted and the bill was referred to the full committee.

### "Living will" measure gains

The full Judiciary Committee met Wed., Mar. 2, to continue their consideration of S.F. 1816, the "living will" legislation. The bill, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), provides for adult health care decisions to be made in advance and provides immunity from liability for physicians or other health care providers for acts or omissions believed in good faith to be authorized by the declaration, if it is documented in the declarant's medical record that the declarant was informed and involved in making the decision about his care. In addition, the bill provide penalties for concealing or changing the declaration, for forced execution of a declaration and for forging a declaration. The bill also expressly prohibits mercy killing, euthanasia or suicide. A suggested form for making a declaration is also provided in the measure.

Proponents of the measure testified at a previous hearing Feb. 22. Opponents spoke at the Mar. 2 hearing. Mary Senander, representing the Human Life Alliance, and Jackie Schwietz, representing Minnesota Citizens Concerned for Life, both expressed concerns that the bill would lead to the denial of appropriate medical treatment in cases where life could be sustained with nutrition and hydration. Schwietz testified that the bill "erodes the presumption that patients receive necessary medical treatment," and Senander argued that "Advance directives undermine the concept of informed choice."

When the panel reconvened, testimony against the bill was again heard. Senators then offered several technical amendments to clarify the wording in the bill before approving the measure on a voice vote.

Earlier in the day members discussed a bill making it a felony for athletic agents to give inducements to student athletes or educational institutions unless the student athlete has filed a waiver of collegiate athletic eligibility. The bill, S.F. 1830, authored by Sen. Jim Ramstad (IR-Minnetonka), was laid over because of time constraints.

## Local and Urban Government

### Intergovernmental commission gains

A bill establishing the Minnesota Advisory Commission on Intergovernmental Relations gained the approval of the Local and Urban Government Committee at the Thurs., Feb. 25, hearing. According to chief author Sen. Roger Moe (DFL-Erskine), the bill is designed to delineate lines of responsibility and to provide a broader picture of the activities of various levels of government. S.F. 1930 establishes the commission, specifies membership, and outlines the duties of the commission. Under the bill, the commission would consist of four members of the executive

branch; four members of the legislative branch; the chief justice of the Minnesota Supreme Court; one of the U.S. senators, one of the U.S. congressmen; four mayors or members of city councils; four county commissioners; two school board members; two town board members and four persons holding public office.

The bill specifies that the commission serve as a forum for the discussion and resolution of intergovernmental problems; engage in studies related to the current structure of the political subdivisions of the state; consider ways to foster better relations among political subdivisions; determine the need for statutory changes; coordinate studies relating to intergovernmental relations and review the recommendations of national commissions to determine the possible application to Minnesota. The bill was approved and re-referred to the Government Operations Committee.

In other action, panel members, chaired by Sen. Robert Schmitz (DFL-Jordan), approved two additional measures. S.F. 1473, authored by Sen. Don Samuelson (DFL-Brainerd), authorizes the Morrison County Board to levy a tax of up to five mills to be deposited in the county building fund for purposes of building a county jail. The measure was re-referred to the Committee on Taxes and Tax Laws. S.F. 1749, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows the Minneapolis city finance officer to waive or reduce the amount of performance bond required in a contract under certain circumstances. The bill was forwarded to the full Senate.

### **Gubernatorial appointments approved**

Members of the Local and Urban Government Committee met Mon., Feb. 29, and recommended the confirmation of the governor's appointments to the Metropolitan Council and the appointment of the chair of the Metropolitan Waste Control Commission.

The appointments of Chairman Steve Keefe, Marcy Waritz, Carol Flynn, Gertrude Ulrich, Joan Campbell, Michael McLaughlin, John Robert Evans, Donald Stein, Patrick Scully, and David Fisher all were approved. The appointment of Peter Meintsma as chair of the Metropolitan Waste Control Commission was also approved.

In other action, the panel, chaired by Sen. Robert Schmitz (DFL-Jordan), recommended that S.F. 1772 be placed on the Consent Calendar. The bill, authored by Sen. Don Frank (DFL-Spring Lake Park), authorizes the renovation and use of the Fridley Assembly of God Church property for health and social services.

### **MAC bonding authority increase okayed**

Panel members met Thurs., Mar. 3, and took action on three measures. S.F. 1900, authored by Sen. Betty Adkins (DFL-St. Michael), raises the cap on the bonding authority of the Metropolitan Airports Commission from \$92 million to \$150 million. S.F. 1858, also carried by Adkins, authorizes towns to use the same procedures as other municipalities when making special assessments.

Committee members devoted most of the meeting to discussing S.F. 1789. The bill, authored by Sen. Don Anderson (IR-Wadena), provides a procedure for withdrawal from a hospital district by Otter Tail township. Panel members were concerned, however, about setting a precedent and defeated the motion to advance the bill.

## **Public Utilities and Energy**

### **Pipeline bill amended**

Technical changes to the Pipeline Safety Act were approved by members of the Public Utility and Energy Committee, Tues., Mar. 1. The panel, chaired by Sen. Ronald Dicklich (DFL-Hibbing), met very briefly to act on a bill that makes numerous technical changes in the law passed last year. For instance, S.F. 2111 changes the definition of excavation for the purposes of the state's one-call excavation system to require contact prior to any machine powered activity that disturbs the soil. The original bill specified notification if excavation was to a depth of 18 inches or more. The bill also specifies activities that are not considered excavation for purposes of the law. In addition, the definition of gas is altered to include liquified natural gas and liquefied petroleum gas. The bill, sponsored by Sen. Steven Novak (DFL-New Brighton), also makes changes in the sections dealing with inspection fees to be charged by the Office of Pipeline Safety. The bill also makes changes to the laws relating to inspections and reports.

## **Taxes and Tax Laws**

### **Revenue distribution plan passed**

A bill modifying the metropolitan revenue distribution system was approved, Fri., Feb. 26, by the Economic Development Division of the Taxes and Tax Laws Committee.

Sen. Ember Reichgott (DFL-New Hope), chair of the division and sponsor of S.F. 1134, gave a section by section review of the bill. Karen Baker, legislative analyst for the House, presented a review of a report she prepared on the Metropolitan Revenue Distribution Act, or "fiscal disparities" program, instituted by the Legislature in 1971. Reichgott's bill offers the following changes to the program: abolishes the Municipal Equity Account, a feature of the original law that was never implemented; makes changes in the definitions of commercial-industrial property; adds utility property and manufactured homes to a municipality's contribution values; phases out over 20 years South St. Paul's five percent exemption from contributions; reduces the current 40 percent contribution rate to 30 percent by yearly increments; and eliminates the minimum population provisions from the distribution formula.

Roger Peterson, representing the Association of Metropolitan Municipalities, said the association supports the measure because it will give back more money to the program's heaviest contributors and will eliminate several other inequities in the program.

The division adopted an amendment offered by Sen. John Bernhagen (IR-Hutchinson) establishing a fiscal disparity study commission. The commission will be responsible for evaluating the system and giving a report and recommendations to the Legislature in 1995.

The provisions of the bill will be effective for taxes payable in 1989 and subsequent years.

### **Income tax bill advances**

Sen. Lawrence Pogemiller (DFL-Mpls), chair of the Income Tax Division, gained division members support, Tues., Mar. 2, for an individual income tax bill, S.F. 2166. After adding technical amendments, the division re-referred the bill to the Taxes and Tax Laws Committee.

Pogemiller said the bill, which contains no major policy changes, will bring a \$700,000 net gain to the state's general fund. The bill makes changes in 1986 and 1987 laws pertaining to part-time residents, state reciprocity tax payments, sale of "S" corporation stocks, reinstatement of the innocent spouse rule, computing property tax refunds and assessment of underpayment penalties.

In other action, the division discussed S.F. 1872, a bill that makes railroad retirement benefits taxable and thereby challenges federal law governing railroad benefits. Commissioner of Revenue John James, a strong supporter of the bill, said "Federal law is inappropriately intruding on states' policies" by limiting state taxing authority. He estimated that 30,000 to 34,000 Minnesotans would be affected by the tax. The division will hold another hearing on the measure.

The panel also heard from Dan Salamone, director of the tax research division, and Keith Carlson, legislative fiscal analyst, who presented overviews of the governor's proposal on tax credits for the elderly and the disabled.

## **Transportation**

### **Forest road bill gains**

A bill designating forest road user taxes for maintenance and construction of state forest roads gained Transportation Committee approval, Thurs., Mar. 3.

The bill, S.F. 1662, distributes \$400,000 to state forest road accounts and \$275,000 to county access road accounts annually for two years.

Gerald Rose, DNR forestry director, said the continued development of two fast growing industries in the state—forest products and tourism—depends heavily on forest roads to access timber and recreation areas. Many industries in the metropolitan area such as pulp and paper, waferboard and strandboard companies also recognize the need to allow loggers to access timber, according to Rose. Barry Morse, DNR supervisor of state forest management, said that funding sources for maintaining and

constructing forest roads are running dry. Federal funds for managing forests in areas hardest hit economically by enactment of the 1978 BWCA law end in 1990.

The committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), also approved H.F. 1277, authored by Sen. David Frederickson (DFL-Murdock). The bill expands the use of the state park road account to county roads providing access to public lakes. Under the bill, the DNR prioritizes which projects to fund from the \$600,000 account. Both bills were re-referred to the Environment and Natural Resources Committee.

## Veterans

### Senators approve two bills

The Veterans Committee, chaired by Sen. Joe Bertram, Sr., (DFL-

Paynesville), approved S.F. 2126, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), and S.F. 1603, authored by Bertram.

S.F. 2126 states that the Legislature finds that studies establish that the Vietnam war produced significant emotional disabilities among a substantial number of the people who served in Vietnam, and that these disabilities have resulted in the incarceration of some of them. Rehabilitation of these veterans, the bill continues, is a compelling goal of the criminal justice system.

The bill also provides for special presentence treatment of veterans of the Korean conflict or the Vietnam era. The bill was re-referred to the Judiciary Committee.

S.F. 1603 provides for adjutant generals to retain their special license plates on leaving office. The bill was referred to the full Senate.

# Preview

## The Minnesota Senate Week at a Glance

Monday, March 7, 1988

**Education Committee**, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** S.F. 1702-Pehler: Fiber optics telecommunications. S.F. 151-Bertram: Restoring tuition exemptions at TT's for Vietnam-era veterans. S.F. 1859-DeCramer: Establishing meeting sites of vo-tech district. S.F. 1860-DeCramer: Library resources at Southwest State and TI. S.F. 2210-Johnson, D.J.: Consolidate noncontiguous school district. S.F. 1817-Johnson, D.J.: Independent #710, bond redemption. S.F. 1695-Peterson, D.C.: Aversive and deprivation rules.

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

8:30 AM Room 125 Capitol

**Agenda:** Public testimony on the Governor's supplemental budget.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 1879-Wegscheid: Unauthorized release of animals. S.F. 2130-Morse: Liability for persons injured using private land. S.F. 1762-Frederickson, D.R.: Clarifying an exemption of farm equipment. S.F. 1998-Davis: Standards for premiums and discounts for grain. S.F. 2128-Morse: Labeling foods that may contain banned substances. S.F. 2324-Davis: Appropriating money for bluegrass seed and turf production. S.F. 2325-Davis: Appropriation to collect and disseminate materials on soil and water stewardship for use in school curricula. S.F. 2322-Davis: Beginning farmer educational programs.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 2107-Luther: Penalties for crimes committed with use of a replica gun. S.F. 1553-Wegscheid: Computer crimes. S.F. 1871-Ramstad: Penalties for false accusation of child abuse intended to influence child custody. S.F. 2119-Spear: Welfare agency child abuse findings, records. S.F. 2104-Berglin: Recording of domestic abuse protection hearings.

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

12:00 PM Room 15 Capitol

**Agenda:** S.F. 1659-Reichgott: Tax increment financing requirements. H.F. 1224-Johnson, D.J.: Cook County/Grand Marais joint economic development authority. S.F. 2190-Pogemiller: Abolishment of economic development authorities and establishment of community development agencies.

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

12:30 PM Room 107 Capitol

**Agenda:** S.F. 2177-Belanger: Providing for filing requirements of

variances to real property. S.F. 2102-Kroening: Authorizing Minneapolis Park and Recreation Board to establish compensation for its members. S.F. 2046-Vickerman: Permitting city of Westbrook to expend city funds for a private hospital.

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

**Commerce Committee**, Chair: Sam Solon

3:00 PM Room 107 Capitol

**Agenda:** Six liquor bills: S.F. 1956-Peterson, R.W.: Recodification of savings and loans; S.F. 1795-Storm: Notice of license revocation; S.F. 2033-Gustafson: Relates to municipal liquor stores; S.F. XXXX-Novak: Authorizes City of Blaine to issue on-sale liquor license; S.F. XXXX-Solon: Defines importers as brewers; and S.F. 2282-Dicklich: Authorizes municipalities to issue certain intoxicating malt liquor license. Five insurance bills: S.F. 1802-Spear: Regulating MN Insurance Guarantee Association; S.F. 1681-Freeman: Exempts child health and prenatal care from co-payment; S.F. 2143-Samuelson: Relates to medical exams for no-fault cases; S.F. 1800-Pehler: Charitable solicitations disclosure requirements; and S.F. 2219-Solon: Relates to advertising of life insurance.

**Education Committee Education Aids Division**, Chair: Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** S.F. 1745-Davis: Capitol loan, Milaca. S.F. 2095-Peterson, R.W.: Vehicle omnibus education aids bill.

**Employment Committee**, Chair: Florian Chmielewski

3:00 PM Room 112 Capitol

**Agenda:** Twelve bills relating to workers compensation: S.F. 1807-Pehler: Patterning law after Wisconsin. S.F. 366-Merriam: Determining permanent total disability compensation. S.F. 1910-Wegscheid: Group self-insurers allowed to pay benefits same as corporate self-insurers. S.F. 1739-Ramstad: Calculation/volunteer firefighters. S.F. 994-Lantry: First respondents-infectious diseases. S.F. 2027-Diessner: Labor agreements. S.F. 2028-Diessner: Compensation loss fringe benefits. S.F. 2029-Regulating benefit discontinuations. S.F. 2030-Regulating payments/temporary total benefits. S.F. 2031-Diessner: Regulating Department of Labor and Industry counsel, certain instances. S.F. 2032-Diessner: Review rehabilitation plans. S.F. 2133-Coverage rabies treatment.

**Agriculture Committee**, Chair: Charles Davis

7:30 PM Room 123 Capitol

**Agenda:** Continuation of morning agenda.

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

7:30 PM Room 125 Capitol

**Agenda:** S.F. 1921-Berglin: Pension plan rights. S.F. 2009-Berglin:

Child support, spousal maintenance. S.F. 2023-Berglin:  
Recording of contracts for deed. S.F. 2207-Berglin:  
Disclosure of assets and liabilities by parties to marriage  
dissolution.

## Tuesday, March 8, 1988

**Employment Committee**, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 2311-Freeman: Establishing a task force on dislocated workers. Continuation of 3/7 agenda.

**Governmental Operations Committee**, Chair: Donald M. Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 1617-Berglin: Relating to building code standards for family and group family day care. S.F. 722-Hughes: Investment in Northern Ireland.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. 974-Brandl: FAA Memorial. S.F. 1154-Waldorf: Tax on collector cars. S.F. 1569-Vickerman: Tourist information center funding. S.F. 267-Purfeerst: Bridge bonding. S.F. 1876-Novak: Motor carrier bill. S.F. 1932-Frederick: Exempting private carriers from certain hazardous materials regulation.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. 2288-Davis: Regulates sales of hearing aids. S.F. 2300-Solon: Regulates membership camping and timeshare trust accounts. S.F. 965-Wegscheid: Board of Accountancy regulations. S.F. 2057-Spear: Allowing banks to engage in certain security activities.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** S.F. 2127-Marty: Energy investment reform amendment.

**Veterans Committee**, Chair: Joseph Bertram

10:00 AM Room 107 Capitol

**Agenda:** S.F. XXXX-Johnson, D.J.: Requiring Commissioner of Veterans Affairs to establish a veterans home in Silver Bay with funding. S.F. 1463-DeCramer: Requiring Commissioner of Veterans Affairs to establish a veterans home with funding and a veterans outreach center with funding. S.F. 2109-Bertram: Providing a state bonus for national guard service.

**Legislative Commission on Employee Relations**, Chair: Donald M. Moe

10:30 AM Room 118 Capitol

**Agenda:** Ratification of collective bargaining agreement unit one. Ratification of compensation plan.

**Employment Committee**, Chair: Florian Chmielewski

12:00 PM Room 107 Capitol

**Agenda:** Continuation of morning agenda.

**Environment and Natural Resources**, Chair: Bob Lessard

1:00 PM Room 112 Capitol

**Agenda:** To be announced.

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

1:00 PM Room 15 Capitol

**Agenda:** S.F. 2247-Luther: Nursing home rate appeals. S.F. 1975-Berglin: Nursing homes and care facilities. S.F. 1842-Pogemiller: Jobs and training inventory, referral and intake system. S.F. 2187-Samuels: Eliminating certain limits on reimbursement to providers. S.F. 2085-Berglin: Child support guidelines public assistant actions. S.F. 2132-Piper: Acupuncture.

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

3:00 PM Room 125 Capitol

**Agenda:** Overview of University of Minnesota's operating and capital budgets.

**Education Committee**, Chair: James Pehler

4:00 PM Room 112 Capitol

**Agenda:** To be announced.

**Governmental Operations Committee**, Chair: Donald M. Moe

6:00 PM Room 15 Capitol

**Agenda:** S.F. 2150-Davis: Relating to state contracts. S.F. 2174-Morse: Relating to court administrators. Health insurance/defined

contribution plan bill. S.F. 1595-Bertram: Relating to veterans homes.

**Judiciary Subcommittee on Privacy**, Chair: Richard Cohen

7:00 PM Room 125 Capitol

**Agenda:** S.F. XXXX: Federal wiretapping conformity.

## Wednesday, March 9, 1988

**Commerce Committee**, Chair: Sam Solon

8:00 AM Room 112 Capitol

**Agenda:** S.F. 2323-Wegscheid: Bank investments in leases. S.F. 2025-Freeman: Regulation of mortgage bankers.

**Education Committee**, Chair: James Pehler

8:00 AM Room 15 Capitol

**Agenda:** To be announced.

**General Legislation and Public Gaming Committee**, Chair: Marilyn

Lantry

8:00 AM Room 107 Capitol

**Agenda:** S.F. 1815-Dicklich: Prohibiting transportation of certain animals in open vehicles. S.F. 2191-Pogemiller: Regulating kennels and dealers of certain animals used for research. Any remaining bills.

**Agriculture Committee**, Chair: Charles Davis

10:00 AM Room 112 Capitol

**Agenda:** S.F. 1442-Pehler: Short line railroads. S.F. 1778-Frank: Changing licensing requirements of consolidated food law. S.F. 1851-Frederickson, D.J.: Emergency use telephone service at tank farms.

**Judiciary Committee**, Chair: Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 268-Chmielewski: Right to bear arms constitutional amendment. S.F. 1675-Spear: Discounting of future damages. S.F. 1532-Freeman: Statute of limitation for injuries caused by services, construction to improve real property. S.F. 2257-Novak: Remedy for unconstitutional real property-related statute of limitation. S.F. 2130-Morse: Tort immunity for pick-your-own farms.

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

11:30 AM Room 107 Capitol

**Agenda:** Confirmation of Governor's appointments to State Ethical Practices Board. S.F. 2134-Dicklich: Polling place in St. Louis County. S.F. 2224-Peterson, D.C.: Testing of optical scan voting systems. S.F. 2264-Marty: Consolidation of election precincts in Falcon Heights. S.F. 2341-Olson: Election of Hennepin County Park Reserve District board members. S.F. 1633-Storm: Eliminating requirement that state agencies assist in voter registration. S.F. 762-Langseth: Constitutional amendment for increased and staggered legislative terms. S.F. 630-Merriam: Unicameral legislature. S.F. 1129-Benson: Recall of election officials. S.F. 1386-Ramstad: Ethics in government.

**Environment and Natural Resources Committee**, Chair: Bob Lessard

1:00 PM Room 112 Capitol

**Agenda:** To be announced.

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

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1380-Moe, R.D.: Establishing Minnesota Board on Biomedical Ethics. S.F. 1625-Berglin: Battered American Indian women. S.F. 2157-Vickerman: Minimum maintenance and rates for adults in foster care. S.F. 2158-Vickerman: Foster care insurance extended to providers. S.F. 2203-Benson: County adult protection team. S.F. 2206-Peterson, D.C.: Requiring county social service plans; early intervention for handicapped children. S.F. 2243-Berglin: Vocational rehabilitation employment rights disabled; included programs in CSSA plans. S.F. 2336-Pogemiller: Minnesota Institute for Addiction and Stress Research.

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

3:00 PM Room 123 Capitol

**Agenda:** University of Minnesota capital budget.

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

Don Samuelson

3:00 PM Room 125 Capitol

**Agenda:** Allocations for Departments of Corrections; Health; Jobs and Training; and Human Services.

**Governmental Operations Committee**, Chair: Donald M. Moe

6:00 PM Room 112 Capitol

**Agenda:** Retirement bills.

**Judiciary Committee**, Chair: Allan Spear

7:30 PM Room 107 Capitol

**Agenda:** S.F. 2321-Spear: Six-person juries constitutional amendment. S.F. 2156-Spear: Search warrants for violation of misdemeanor-level city ordinances. S.F. 1357-Pogemiller: Educational organization exemption from Human Rights Act sex discrimination provisions. S.F. 1727-Piper: Employment and Training Department data privacy. S.F. 1628-Berglin: Mental health ombudsman data privacy. S.F. 1944-Jude: Destruction of medical records. S.F. 2258-Novak: Rights of persons holding certificates of title. S.F. 2278-Cohen: Exemption of pension benefits from debt judgments. S.F. 2122-Peterson, R.W.: Omnibus data practices bill. Bills reported from Civil and Criminal Divisions 3/4. Re-referrals from other committees.

### Thursday, March 10, 1988

**Employment Committee**, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** Continuation of committee agenda from 3/8 meetings.

**Governmental Operations Committee**, Chair: Donald M. Moe

8:00 AM Room 15 Capitol

**Agenda:** S.F. 2017-Berglin: Gillette Children's Hospital. Re-referrals.

**Transportation Committee**, Chair: Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** S.F. XXXX-Purfeerst: Olof Hanson Drive. S.F. 1908-Benson: Motor vehicle title transfer. S.F. 1696-Vickerman: Special event signing. S.F. 2089-Novak: Regional Transit Board regulation. S.F. 1940-Solon: Exclusions from school bus definitions.

**Commerce Committee**, Chair: Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** S.F. XXXX-Solon: Relates to franchises. S.F. 1885-Peterson, D.C.: Regulation of motor fuel franchises.

**Public Utilities and Energy Committee**, Chair: Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** To be announced.

**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:** To be announced.

**Agriculture Committee**, Chair: Charles Davis

1:00 PM Room 112 Capitol

**Agenda:** S.F. 1984-Solon: Regulating veterinary drug distribution. S.F. 2326-Davis: Additional seed certification agencies. S.F. 2327-Davis: Appropriation for sustainable agriculture.

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

**Education Committee**, Chair: James Pehler

3:00 PM Room 15 Capitol

**Agenda:** To be announced.

**Employment Committee**, Chair: Florian Chmielewski

3:00 PM Room 107 Capitol

**Agenda:** Continuation of committee agenda from 3/8 meetings and from 3/10 morning agenda.

**Governmental Operations Committee**, Chair: Donald M. Moe

6:00 PM Room 107 Capitol **Agenda:** To be announced.

**Judiciary Committee**, Chair: Allan Spear 7:00 PM Room 15 Capitol

**Agenda:** Bills reported from Civil Law Division 3/7. Bills reported from Privacy Subcommittee 3/8. Bills left from 3/9.

### Friday, March 11, 1988

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

10:00 AM Room 125 Capitol **Agenda:** State universities' capital budget.

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

**Agenda:** Either the full Judiciary Committee or the Civil and Criminal Divisions will meet.

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

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1658-Samuelson: Prompt pay rates for small hospital interim payments. S.F. 1757-Berglin: Community initiatives for children. S.F. 2106-Freeman: Vocational rehabilitation changes; terms regulate funding. S.F. 2245-Berglin: Epidemiologic studies; increase fees for restaurants, hotels, and resort licenses. S.F. 2103-Berglin: Minority adoption. S.F. 1832-Spear: Child care. S.F. 1508-Taylor: Child care.

**Taxes and Tax Laws Committee Property Taxes and Local**

**Government Aids Division**, Chair: Steven Novak 1:00 PM Room 112 Capitol

**Agenda:** Presentation by Tim Flaherty on coalition of outstate cities property tax proposal. S.F. 22-Chmielewski: Historical Society levy. S.F. 479-Solon: Duluth capital bonding. S.F. 997-Langseth: Apportionment of debt service levy in Sabin. S.F. 1156-Berg: Traverse County Fair levy. S.F. 1459-Samuelson: Irondale levy. S.F. 1565-Schmitz: Jordan tax anticipation certificates. S.F. 1706-Pehler: Transfer of land without payment of tax on entire parcel. S.F. 1760-Vickerman: Township officers bill. S.F. 1771-Reichgott: Levy limits for cities and counties not complying with pay equity. S.F. 1877-Novak: County bonding. S.F. 2136-Dicklich: Biwabik levy limits. H.F. 289-Lantry: St. Paul capital improvement bonds. S.F. 1138-Peterson, R.W.: Gravel tax. S.F. 2110-Novak: Classifying utility property.

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## The Minnesota Senate Week in Review

March 11, 1988

### First deadline nears

Several floor sessions were held during the course of the week in order to process paper work and committee reports at the front desk. Senate Committees operated nearly around the clock in order to finish work on bills assigned to the committees before the Thursday, March 10 deadline. As a result, floor action Friday, March 4; Monday, March 7; Wednesday, March 9; and Thursday, March 10 was confined primarily to the movement of bills from one committee to the next, for the introduction of bills and for the processing of committee reports.

Monday, March 7, action was taken on a bill on the Consent Calendar and on one measure on the Senate Calendar. The measure on the Calendar gaining final passage was H.F. 1886, increasing penalties for advertising, selling or renting devices designed to make unauthorized connections to cable television systems. The bill is authored by Sen. Ember Reichgott (DFL-New Hope). The bill on the Consent Calendar, S.F. 1772, authored by Sen. Don Frank (DFL-Spring Lake Park), authorizes renovation and use of the Fridley Assembly of God Church property for health or social services.

The Wednesday, March 9, floor session was devoted almost exclusively to the processing of committee reports and messages from the other body. The single exception came with the concurrence and repassage of S.F. 537. The bill, sponsored by Sen. Tad Jude (DFL-Maple Grove), sets a 30 day mandatory minimum jail sentences for repeat DWI offenders. The measure was given final passage on a vote of 57-0.

One bill on the Consent Calendar gained final passage Thursday, March 10. The measure, S.F. 1958 sponsored by Sen. Marilyn Lantry (DFL-St. Paul), requires rest breaks during the work day. The balance of the floor session was devoted to processing committee reports and receiving messages from the other body.

### Highway funding bill advances

By a narrow 11-10 vote, the highway funding bill, S.F. 1592, was approved by the Finance Committee, Friday, March 4, and re-referred to the Taxes and Tax Laws Committee. A controversial amendment, offered by Sen. Michael Freeman, was adopted to the measure against the author's wishes. Several committee members expresses displeasure with the amendment.

The original draft of the bill, authored by Sen. Clarence Purfeerst (DFL-Fairbault), intended to transfer from the general fund 35 percent of the motor vehicle excise tax to the MVET dedicated fund. The 35 percent transfer, totaling \$71.5 million for 1988, was to be allocated to state, county, and municipal highways. Additionally, the measure increases the gasoline excise tax by three cents, effective April 1, 1988.

Freeman's amendment makes a one-time transfer of 35 percent of the motor vehicle excise tax from the general fund to be spent on state highway construction only. According to Freeman, the amendment serves two purposes: it makes a one-time transfer of funds and does not lock the Legislature into monetary commitments it may not be able to keep and it allocates the funds for state highway construction only. Committee chair, Gene Merriam (DFL-Coon Rapids), argued for the amendment, explaining that the legislature needs to wait until next year's revenue projections are in before committing funds. Merriam said,

"If we pass this legislation without Freeman's amendment, it would be the height of irresponsibility."

On the other hand, Sen. Lyle Mehrkens (IR-Red Wing) charged that some of the legislators do not understand what exists in the real world; people feel that the MVET money was stolen from them and expect the Legislature to return and allocate the funds to county and municipal roads, as well as to state roads. According to Sen. Marilyn Lantry (DFL-St. Paul), roads cannot be built without planning; the Legislature needs to make a long-term commitment to building our roads.

### Rochester center debated

S.F. 2152, establishing the Greater Rochester Area University Center, was approved, as amended, Wednesday, March 9, by the Education Committee. The bill, authored by Sen. Gene Waldorf (DFL-St. Paul), was re-referred to the Governmental Operations Committee.

Discussion on the bill centered around an amendment offered by Sen. Steven Morse (DFL-Dakota), which would have required that, when determining a program to be funded through the center, the board controlling the center first request the program from an appropriate public Minnesota system. If the system was unwilling or unable to provide the program, then the board could request another provider—not necessarily public—to offer the program.

The effect of the amendment, Waldorf said, would be to limit the center to using only public providers.

However, Senators adopted an amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), to Morse's amendment. As amended, Morse's amendment simply requires the board to survey existing educational services to determine appropriate coordination and sharing of curriculum and program. Although Morse withdrew his amendment after approval of the Pogemiller language, Pogemiller later offered the amendment as his own. The Pogemiller amendment was approved.

In other action, the committee, chaired by Sen. James Pehler (DFL-St. Cloud), briefly discussed S.F. 2169, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), which appropriates money for higher education. The committee approved an amendment, offered by Sen. Gary DeCramer (DFL-Ghent), to delete language reinstating certain sales tax exemptions for the University of Minnesota, state universities and community colleges. No further action was taken on the bill.

### Treaty agreement goes to Senate floor

The Environment and Natural Resources Committee, Wed., Mar. 9, approved ratification of an agreement between three bands of Chippewa Indians and the state.

The agreement, embodied in S.F. 2141, sponsored by Sen Douglas Johnson (DFL-Cook), states that the Indians will receive approximately \$5.1 million annually in exchange for giving up most of their exclusive hunting and fishing rights. The hunting and fishing rights, exempt from many DNR regulations, were retained when the Lake Superior Chippewa Indians ceded their lands, in what is now eight counties, to the U.S. Government as part of the 1854 Treaty. Under the agreement, the Fond du Lac, Bois Fort and Grand Portage Bands will continue to follow tribal laws governing hunting and fishing on reservations.

# Committee Capsule

## Agriculture

### Bills progress

Nine bills were approved in the Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), Mon., Mar. 7. S.F. 2130, authored by Sen. Steven Morse (DFL-Dakota), is modeled after legislation recently enacted in Michigan. The measure establishes liability for persons injured while using private land for recreational purposes and establishes duty of care and liability for persons using a "pick your own" farm. According to Morse, the measure encourages farmers who want to go into supplemental operations. An author's amendment, outlining penalties for casual and willful trespassing on state or county land, was approved. The bill, as amended was re-referred to the Judiciary Committee.

S.F. 1879, authored by Sen. Darril Wegscheid (DFL-Apple Valley), establishes criminal penalties and liability for damages for the unauthorized release of domestic animals from confinement. The measure was also re-referred to the Judiciary Committee.

S.F. 1879, authored by Sen. Dennis Frederickson (IR-Morgan), clarifies an exemption of farm equipment in cases of farms organized and operated as partnerships. The measure was also re-referred to the Judiciary Committee.

S.F. 1998, sponsored by Davis, establishes standards for certain premiums and discounts on grain. The measure was sent to the floor.

S.F. 2128, authored by Morse, was laid over for further discussion. The bill requires country of origin labeling and labeling on foods that may contain banned substances harmful to human health. According to Morse, similar legislation exists in Florida.

S.F. 2376, authored by Sen. Joseph Bertram (DFL-Paynesville), is a resolution memorializing the United States Congress to reinstate diesel fuel tax exemptions for farmers and other off-road users. The bill was sent to the full Senate.

S.F. 2325, S.F. 2322, and S.F. 2324, authored by Davis, were re-referred to the Finance Committee. S.F. 2325 appropriates \$80,000 from the general fund to collect and disseminate materials on soil and water stewardship for use in primary and secondary schools. S.F. 2322 appropriates \$50,000 from the general fund to provide educational programs for beginning farmers pursuing a career in agriculture. The appropriation is to be divided into grants of \$2,500 and allocated to technical institutes and school districts. S.F. 2324 appropriates \$35,000 from the general fund for bluegrass seed and turf production.

S.F. 2345, authored by Sen. Tracy Beckman (DFL-Bricelyn), was also re-referred to the Finance Committee. The measure changes and clarifies the small business development loan portion of the agricultural resource loan guarantee program.

### Shortline bill discussed

The Agriculture Committee labored over S.F. 1442, authored by Sen. James Pehler (DFL-St. Cloud), relating to acquisitions of shortline railroads, Wed., Mar. 9. The measure was significantly amended and sent to the floor.

The bill establishes reporting and disclosure requirements for railroads acquisitions. The bill also preserves contracts between acquired railroads and shippers, government entities and labor organizations for the stated term of the contract or for six months, whichever is greater. Additionally, the bill mandates the acquiring railroad to give the first right of hire, in seniority order, to employees of the divesting railroad.

The most controversial provision of the bill was deleted after much debate. The provision entitled employees from the divesting railroad, who were not hired by the acquiring railroad, compensation for up to two years of retraining benefits.

## Commerce

### Child health care exemptions approved

A bill exempting child health care and prenatal care from insurance deductibles gained approval from Commerce Committee members, Mon., Mar. 7. S.F. 1681, sponsored by Sen. Michael Freeman (DFL-Richfield), defines the terms and the number of visits that must be covered for children from birth to age six.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) approved two other insurance-related measures. S.F. 1802 (Spear) amends Minnesota Insurance Guaranty Association regulations and S.F. 2143 (Samuelson) amends the no-fault statutes that require a medical examination following an automobile accident. The bill would require that examinations be made by physicians located within a 25-mile radius of the injured person.

S.F. 1956 (Peterson, R.W.), a recodification of savings and loan association statutes, was also approved.

The committee okayed five liquor-related bills. S.F. 1795 (Storm) increases the number of days notice from 10 to 30 that an insured or insurer must give before cancelling liquor liability insurance. S.F. 2033 (Gustafson) allows municipal liquor stores that have been in existence for fewer than five years to be sold or closed without a mandatory public hearing. S.F. 2352 (Solon) includes importers in the definition of brewers, and S.F. 2357 (Novak) authorizes the city of Blaine to issue an on-sale liquor license.

S.F. 1800 (Pehler), removing some of the current requirements for reporting solicitations by charitable institutions, was passed, and along with the above bills, was referred to the Senate floor.

### Banking activities expanded under bill

The Commerce Committee, Tues., Mar. 8, approved a measure expanding state banks' involvement in securities sales and marketing. The bill, S.F. 2057, sponsored by Sen. Allan Spear (DFL-Mpls.), allows banks or trust companies to organize, acquire or invest in a subsidiary with prior approval from the commissioner of commerce.

The panel, chaired by Sen. Sam Solon (DFL-Duluth), also approved S.F. 2300, sponsored by Solon, amending statutes regulating time-share and membership camping operators. The bill also prohibits real estate agents from obtaining advance payment for resale of time-share properties and requires that financial statements of membership camping operators be prepared by independent certified public accountants.

All three of the measures were sent to the Senate floor.

### Fuel franchisee protections endorsed

Motor fuel franchisees are entitled to compensation if their franchisor chooses to eliminate one or more service bays at the franchisee service station, according to a bill approved by the Commerce Committee, Thurs., Mar. 10.

Sen. Donna Peterson (DFL-Mpls.), author of S.F. 1885, said the compensation amount is to be determined by mutual agreement or, if that fails, through binding arbitration.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) also approved S.F. 2471 (Belanger), allowing the city of Bloomington to grant an on-sale liquor license for the Midsummer Festival of Music. Both bills were sent to the Senate floor.

## Economic Development and Housing

### Tax increment bill heard

Nine bills were addressed at the Economic Development and Housing Committee meeting, chaired by Sen. Don Frank (DFL-Spring Lake Park), Mon., Mar. 7. Seven bills were approved while S.F. 1659, sponsored by Sen. Ember Reichgott (DFL-New Hope), and S.F. 2190, Sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.) were laid over for further discussion. Reichgott's bill provides or alters certain requirements for the use of tax increment financing. Pogemiller's bill abolishes economic development authorities and allows housing and economic development authorities to become community economic development agencies exercising economic development authority powers.

H.F. 1224, sponsored by Sen. Douglas Johnson (DFL-Cook), is among the seven measures approved by the committee. The bill creates the Cook County-Grand Marais joint Economic Development Authority. The measure was re-referred to the Taxes and Tax Laws Committee. Other bills re-referred to the Taxes and Tax Laws Committee include S.F. 1805, S.F. 1964, S.F. 2182, and S.F. 1968.

S.F. 1805, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes M.H.F.A. to refinance existing loans for nonprofit entities

for the purpose of reducing housing costs to an affordable level maintain a supply of affordable low-income housing. S.F. 1964, authored by Sen. Pogemiller, relates to public finance and according to Pogemiller, is the annual bond allocation bill. The measure provides conditions for local and state government debt financing and allocates bonding authority, subject to a volume cap under federal tax law. S.F. 2182, sponsored by Sen. James Metzen (DFL-South St. Paul), provides for payment of tax increments attributable to referendum levy increases to school districts. S.F. 1968, sponsored by Sen. John Bernhagen (IR-Hutchinson), allows local government units to use general funds and tax increments to establish local revolving loan funds for purposes of matching challenge grants from the challenge grant fund under the Rural Development Board.

S.F. 1672, authored by Sen. James Pehler (DFL-St. Cloud) was sent to the floor. The measure repeals the Jan. 1, 1989, expiration date of the interest reduction program.

S.F. 1990, authored by Sen. Roger Moe (DFL-Erskine), was re-referred to the Finance Committee. The bill establishes the Celebrate Minnesota 1990 grant program under the Dept. of Trade and Economic Development, creates a Celebrate Minnesota Advisory Committee to advise the Dept. of Trade and Economic Development on the grant program and assist with Celebrate Minnesota 1990 activities and programs. The bill also establishes the Minnesota Marketplace program under the Dept. of Trade and Economic Development to assist in meeting Minnesota businesses' need for goods and services from Minnesota before seeking suppliers outside the state.

## Education

### Two bills moved to Ed Funding

The Education Committee discussed S.F. 885, establishing a voucher program for students, and S.F. 1893, requiring a State Board of Education rule on elementary school preparation time, Thurs., Mar. 3. Sen. Randolph Peterson (DFL-Wyoming) moved that both be re-referred to the Education Funding Division of the committee because of their financial implications. The committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved the motion.

S.F. 885, authored by Sen. Gene Waldorf (DFL-St. Paul), establishes a voucher program in up to eight demonstration areas for three years. Eligible students may attend any public or nonpublic school in the demonstration area, with state and/or school district money following the students to whatever school they choose to attend.

A demonstration area may be a portion of a school district, a school district or a group of districts. Students are eligible if they live in the demonstration area or a contiguous district, or if their parent works in the area or a contiguous district.

S.F. 1893, authored by Sen. Ember Reichgott (DFL-New Hope), requires that the State Board of Education adopt a rule establishing preparation time requirements for elementary school teachers that is comparable to the requirements for secondary school staff. Secondary school teachers currently have one period during the school day for preparation and conferences.

### Division amends, approves GRAUC

S.F. 2152, establishing the Greater Rochester Area University Center, was approved, as amended, by the Higher Education Division of the Education Committee Fri., Mar. 4.

The amendments discussed by the division, chaired by Sen. Gregory Dahl (DFL-Coon Rapids), focused on the question of the governance of the center. Senators eventually approved an amendment offered by Sen. Ronald Dicklich (DFL-Hibbing), which provides a governing board for the GRAUC consisting of one person appointed by the board of regents; one person appointed by the state university board; one person appointed by the state board for community colleges; and two persons from the Rochester area appointed by the Governor.

The bill, authored by Sen. Gene Waldorf (DFL-St. Paul), was referred to the Education Committee.

In other action, the division approved S.F. 2169, the Governor's higher education budget proposals, as amended. Major items that the bill names for appropriations through the Higher Education Coordinating Board (HECB) include a deficiency in the

appropriation for grants and scholarships in fiscal year 1988; a community service fellowship-grant program; and a study of the future global environment and the state's role in it.

Major items that S.F. 2169 names for appropriations at the University of Minnesota are a rank funding adjustment; elimination of the indirect cost recovery offset; and a new supercomputer center.

Major items slated for appropriations through the Vocational-Technical Board include restructuring of curriculum and child care.

However, Senators approved a number of amendments to the bill with additional items for appropriations.

Sen. Steven Morse (DFL-Dakota) offered an amendment to appropriate adequate money for fiscal year 1989 to the HECB for four years of financial aid to be available for eligible students. The amendment was approved.

Another amendment, offered by Sen. James Pehler (DFL-St. Cloud) and approved by the division, appropriates money to the HECB for the Minnesota Hispanic Education Program, Inc. Pehler said that it was his intention to make the appropriation a matched fund.

Also approved was an amendment offered by Sen. Bob Decker (IR-Bemidji), appropriating money for child care in higher education.

Although Senators were not given specific language, they approved a "concept" amendment, also offered by Pehler, which would provide additional funding to post-secondary educational institutions for students who are currently unfunded because of recent enrollment increases.

A further amendment, offered by Sen. Gary DeCramer (DFL-Ghent) and approved by division members, reinstates certain sales tax exemptions to the University of Minnesota, state universities and community colleges.

Although each item named in S.F. 2169 had a specific appropriation, a final amendment deleted all the appropriations in the bill. The bill was referred to the Education Committee.

In other action, division members approved S.F. 2093, authored by Morse, which eliminates the cap on the state university system student health service fee; and S.F. 1942, authored by Sen. Tad Jude (DFL-Maple Grove), appropriating money to the Board of Trustees of William Mitchell College of Law for the construction of a chamber dedicated to former Chief Justice Warren E. Burger. S.F. 2093 and S.F. 1942 were referred to the Education Committee.

### Committee approves tuition exemption

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved, as amended, S.F. 151, regarding a tuition exemption at state Technical Institutes for Vietnam veterans, Mon., Mar. 7.

Currently, the exemption is extended to Vietnam veterans who are Minnesota residents and have not completed a tuition-free post-secondary vocational-technical program until the veteran has completed the lesser of 440 post-secondary vocational-technical school days (or the equivalent), or one of the schools' programs. Current law also provides that the veteran must have enrolled in the program by July 1, 1990.

S.F. 151, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), would have extended the exemption to Vietnam veterans who have lived in Minnesota, for purposes other than obtaining an education, for at least 12 consecutive months before enrollment. However, an amendment offered by Sen. Darril Wegscheid (DFL-Apple Valley) and approved by the committee struck the new language, so that the exemption will continue to include only those veterans who were Minnesota residents at the time of their induction and for the six months immediately preceding induction.

The bill would have extended the enrollment deadline to July 1, 1993; however, the committee also approved an amendment offered by Sen. LeRoy Stumpf (DFL-Plummer) which removed the enrollment deadline altogether.

In other action, the committee advanced S.F. 1695, authored by Sen. Donna Peterson (DFL-Mpls.), which provides for controls on the use of aversive and deprivation procedures for handicapped children.

Senators also approved S.F. 2210, authored by Sen. Douglas Johnson (DFL-Cook), allowing noncontiguous school districts to consolidate; S.F. 1817, also authored by Johnson, allowing Independent School District 710 to re-fund bonds issued in 1981;

# Committee Capsule

S.F. 1860, authored by Sen. Gary DeCramer (DFL-Ghent), appropriating money to establish library services at the four campuses of Southwest Technical Institute, in cooperation with Southwest State University; S.F. 1859, also authored by DeCramer, authorizing the board of a joint vocational-technical district to meet outside the member districts; and S.F. 1702, authored by Pehler, appropriating money for an optical fiber telecommunications system.

S.F. 151, S.F. 1702, and S.F. 1860 were re-referred to the Finance Committee. The other bills were sent to the Senate Floor.

## Committee moves five bills

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved five bills Tues., Mar. 8, including S.F. 444, authored by Sen. Gene Waldorf (DFL-St. Paul).

The bill establishes a task force to review state governance of technical institutes and merging community colleges with technical institutes. An amendment offered by Sen. Fritz Knaack (IR-White Bear Lake) modified the task force's charge by requiring the study of the formation of independent school districts throughout the state. The amendment was adopted.

Waldorf introduced an amendment which would have changed the mission of the board to one of developing procedures necessary to unite community colleges and technical institutes under one governing board. However, the amendment was defeated, and S.F. 444 was re-referred to the Finance Committee.

In other action, the committee approved S.F. 1882, authored by Sen. Allan Spear (DFL-Mpls.), requiring school districts to make certain accommodations for lactose intolerant children, if requested; S.F. 1745, authored by Sen. Charles Davis (DFL-Princeton), approving, on the contingency of approval by the district voters, a capital loan to Independent School District No. 912, Milaca; S.F. 2093, authored by Sen. Steven Morse (DFL-Dakota), eliminating the cap on the State University System health service fee; and S.F. 2195, authored by Sen. David Frederickson (DFL-Murdock), making corrections to the cooperative secondary facilities grant act.

S.F. 1745, S.F. 2093, and S.F. 2195 were re-referred to the Finance Committee. S.F. 1882 was sent to the Senate floor.

## Education Funding

### Technology plans discussed

Representatives from the Dept. of Education and the St. Paul School District spoke to the Education Funding Division of the Education Committee about proposals regarding technology in the schools Fri., Mar. 4.

The Governor has recommended a \$100,000 appropriation to the Dept. of Education for fiscal year 1989 for planning and analysis relating to significant technology issues, and \$200,000 for a demonstration grant for a technology-intensive school.

Division members also discussed seven bills relating to capital expenditure and debt service proposals. S.F. 2080, authored by Sen. William Luther (DFL-Brooklyn Park), S.F. 2045, authored by Sen. LeRoy Stumpf (DFL-Plummer), and S.F. 1981, authored by Sen. Steven Novak (DFL-New Brighton), regard reenacting the capital expenditure levy for leased buildings. Also outlined were S.F. 1728, authored by Sen. Pat Piper (DFL-Austin); S.F. 1787, authored by Sen. Darril Wegscheid (DFL-Apple Valley); S.F. 1989, authored by Sen. Ember Reichgott (DFL-New Hope); and S.F. 2342, authored by division chair Sen. Randolph Peterson (DFL-Wyoming).

Division members approved S.F. 1817, authored by Sen. Douglas Johnson (DFL-Cook), providing that certain bonds in Independent School District No. 710 may be re-issued. S.F. 1817 was referred to the Education Committee.

### Portions of omnibus bill adopted

The Education Funding Division of the Education Committee adopted articles I, II, and III of S.F. 2095, the Omnibus Education Funding Bill, Mon., Mar. 7. Members will continue to discuss portions of the bill, carried by division chair Sen. Randolph Peterson (DFL-Wyoming), throughout the week.

Article I sets the formula allowance for fiscal year 1990 at \$2,790;

the general education mill rate for the year is set at the rate that will generate \$1,100,580,000.

Article II sets the basic transportation mill rate for fiscal year 1990 at the rate that will generate \$72,681,200.

The division approved an amendment offered by Sen. Ember Reichgott (DFL-New Hope) to Article I. The amendment encourages the legislative audit commission to direct the legislative auditor to conduct a study of the differences among the costs of living in communities in Minnesota and the effect that these differences have on educational expenditures by school districts.

Article III of the bill contains a \$6 million appropriation for special education costs for fiscal year 1989. The appropriation is to cover a funding deficiency in special education.

In other action, Senators approved S.F. 1745, authored by Sen. Charles Davis (DFL-Princeton). The bill approves, on contingency, a capital loan of not more than \$4,790,865 to Independent School District No. 912, Milaca. The contingency is approval of the district voters.

Division members also heard a presentation on extended day programs in schools. The programs provide school based care for children beyond the regular school hours.

Lt. Governor Marlene Johnson told the division that the school system is the proper place for such a program because parents trust the system, children are accustomed to it, and the staff members know the children.

## Elections and Ethics

### Campaign financing bill approved

The Elections and Ethics Committee, chaired by Sen. Jerome Hughes (DFL-Maplewood), approved, as amended, S.F. 2378 Wed., Mar. 9. The bill, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), was re-referred to the Finance Committee.

The bill requires 20 percent of party account and general account money from the state elections campaign fund be allocated to political parties, and changes the percentages of money allocated to individual candidates. S.F. 2378 also requires that money from the general account that is refused by any candidate will be distributed to the other candidates for the same office in the district, provided that the candidates are eligible to receive money from the general account. To be eligible, candidates must agree to voluntary campaign spending limits.

Members also approved S.F. 762, authored by Sen. Keith Langseth (DFL-Glyndon). The measure involves submitting a proposed amendment to the people at the 1988 general election. The amendment would provide for six-year terms in the Senate and staggered four-year terms in the House after 1992. The bill was re-referred to the Judiciary Committee.

In other action, the committee recommended that the Senate confirm the appointments of Mary Smith and Douglas R. Ewald to the State Ethical Practices Board.

In addition, the committee approved S.F. 2134, authored by Sen. Ronald Dicklich (DFL-Hibbing), regarding a polling place in St. Louis County; S.F. 2224, authored by Sen. Donna Peterson (DFL-Mpls.), requiring that optical scan voting systems be tested within 14 days before an election; S.F. 2264, authored by Sen. John Marty (DFL-Roseville), relating to elections precincts in Falcon Heights. All three bills will be put on Consent Calendar.

Also approved was S.F. 2398, sponsored by Sen. William Luther (DFL-Brooklyn Park), the Secretary of State's housekeeping bill. The measure was re-referred to the Finance Committee.

## Employment

### Variety of measures approved

Members of the Employment Committee, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), reconvened during the afternoon of Thurs., Mar. 3, to finish action on the day's lengthy agenda. Panel members considered eight measures and advanced seven of the bills.

S.F. 1721, sponsored by Chmielewski, adds job listing services to the definition of employment agencies in the statutes. Under the

bill, laws governing employment agencies also apply to job listing services. S.F. 1718, also carried by Chmielewski, requires that a licensed boiler operator be present when a traction engine, portable or stationary show engine, or portable or stationary show boiler is in operation and a member of the public is present. The measure also adds operating experience as one of the criteria for licensure. S.F. 1732, authored by Sen. Donna Peterson (DFL-Mpls.), makes changes in the Labor-Management Committee grant program by changing the definition of committees of multiple employers and multiple employees, requiring grant applications be submitted to the commissioner of the Bureau of Mediation Services, and reducing maximum grants from \$100,000 to \$75,000. S.F. 2142, carried by Sen. Tracy Beckman (DFL-Bricelyn), makes numerous non-controversial changes in statutes relating to workers' compensation and the Dept. of Labor and Industry.

S.F. 2011, authored by Sen. Pat Piper (DFL-Austin), authorizes a comparable worth study of staff direct care positions in county or Dept. of Human Services administered intermediate care facilities, development achievement centers and semi-independent living services. The bill was re-referred to the Finance Committee. S.F. 1959, authored by Sen. Marilyn Lantry (DFL-St. Paul), was also referred to the Finance Committee. The bill requires the Dept. of Labor and Industry to conduct two studies; one to review literature and studies on the effects of video display terminals and recommend ways to reduce risks posed by the terminals and the second to study the extent of the use of mandatory overtime in Minnesota. S.F. 1958, also sponsored by Lantry, clarifies that an employer must provide at least a 10 minute rest break during every four hour period and that the break must come during the second and third hours. The measure was recommended for placement on the Consent Calendar.

Panel members also began consideration of S.F. 1304, authored by Sen. Gene Merriam. The measure authorizes municipality-financed cancer disability benefits for firemen with cancer caused by exposure to heat, radiation or a known carcinogen. Discussion on the measure will continue at a later date.

### **Workers' comp bills heard**

The Employment Committee shifted into high gear Mon., Mar. 7, and began consideration of numerous bills dealing with various facets of the workers compensation system. The agenda items were carried over the course of five meetings throughout the week.

The Monday hearing was devoted primarily to two measures that defined circumstances for occupational diseases to be covered under workers' compensation. The first, S.F. 1304, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), provides a presumption for finding an occupational disease in the case of firefighters having a disabling cancer. The bill specifies that a firefighter who is unable to perform duties in the department because of a disabling cancer of a type caused by exposure to heat, radiation, or a known or suspected carcinogen, as defined by the International Agency for Research on Cancer, is presumed to have an occupational disease and is eligible for benefits. The second measure, S.F. 994, authored by Sen. Marilyn Lantry (DFL-St. Paul), provides occupational disease classifications for infectious diseases contracted by first respondents to emergency situations, if the worker was exposed to the disease in the course of performing his or her duties. Thus, police officers, state troopers, firefighters, paramedics, and emergency medical technicians would be eligible for benefits if they contracted an infectious disease, such as hepatitis B, in the course of their work. Both bills were approved by the committee.

The panel also heard S.F. 366, sponsored by Merriam. The measure establishes permanent total disability payments at either two-thirds of the daily wage at the time of injury, or two-thirds of the wage at the time the permanent total disability determination is made, whichever is larger. No action was taken on the bill. In addition, members of the committee also began hearing S.F. 1807. The measure, sponsored by Sen. James Pehler (DFL-St. Cloud), patterns Minnesota's workers compensation after the law of Wisconsin and generally changes all facets of current law to correspond to Wisconsin law. The Monday hearing closed with committee members, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), hearing testimony on the bill.

### **Task force on dislocated workers gains**

A bill establishing a task force on the employment and training of dislocated workers gained committee approval Tues., Mar. 8. The bill, S.F. 2311, authored by Sen. Michael Freeman (DFL-Richfield), provides that the task force shall investigate and evaluate new and innovative methods of providing employment and training to dislocated and other unemployed workers and make recommendations for the state to follow in providing assistance to dislocated workers. The measure was forwarded to the Finance Committee.

Committee members also heard, but took no action on, S.F. 1910, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley). The bill allows group self-insurers to pay benefits and administrative expenses in the same manner as corporate self-insurers. S.F. 1739, sponsored by Sen. Jim Ramstad (R-Minnetonka), was heard Tuesday afternoon. The measure, provides that for purposes of calculating workers compensation benefits, volunteer firefighters be considered to be working eight hours a day at an hourly rate comparable to that of full time firefighters. The bill was approved and forwarded to the full Senate. S.F. 2133, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), provides that veteranarians are eligible for workers compensation benefits for treatment of rabies. The measure was also approved.

The panel also continued their consideration of S.F. 1807, the bill substituting Wisconsin's workers compensation law for Minnesota's current law. In addition, several workers testified on their experiences in dealing with Minnesota's workers' compensation system.

### **Vocational program bill advances**

A bill providing for grants to certified rehabilitation facilities to provide community based employment programs for disabled and handicapped workers gained the approval of the Employment Committee, Thurs., Mar. 10. The bill, S.F. 2427, sponsored by Committee Chair Florian Chmielewski (DFL-Sturgeon Lake), was re-referred to the Committee on Finance because of the appropriation contained in the bill.

A second bill gaining committee endorsement, S.F. 2473, provides for establishment of a Self-Insurers Security Fund to be regulated by the Commissioner of Commerce. The fund is designed to deal with the estimated current and future medical and indemnity liabilities of self-insurers. The bill also specifies procedures for applications and sets forth financial standards self-insurers must maintain. The bill is designed, according to witnesses representing self-insurers and the Commerce Dept., to relieve pressure exerted on the special compensation fund by bankruptcies. The bill, carried by Chmielewski, was approved and sent to the full Senate.

### **Environment and Natural Resources Procedures for DNR orders approved**

Senator Charles Berg's (DFL-Chokio) bill prescribing procedures that must precede the publishing of DNR commissioners' orders, gained the Environment and Natural Resources Committee's approval, Thurs., Mar. 3.

According to S.F. 1752, the DNR commissioner must consult with chairs of the Environment and Natural Resources Committees in both the House and Senate and seek their recommendations for implementing rules. Berg said the bill restricts the commissioner's powers to place more stringent requirements than intended by the Legislature when it passes laws relating to fish and wildlife. Sen. Gene Merriam (DFL-Coon Rapids) added an amendment allowing the use of landing nets that discharge electric currents. The nets are designed to temporarily stun fish. Merriam said the specially designed nets will work effectively in catch-and-release fishing situations because immobilized fish will be less likely to injure themselves.

Other bills the committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), approved and referred to the Senate floor included S.F. 1561 (Frederickson, D.R.) prohibiting using meat with bones and solid wastes when baiting bears; S.F. 1687 (Lessard) providing for the sale of state lands; S.F. 1328 (Dicklich) prescribing requirements for the fencing of unused mine pits and shafts; and S.F. 1994

# Committee Capsule

(Peterson, R.W.) providing for the sale of a parcel of state land to Cambridge Hospital

The committee approved two bills and referred them to the Finance Committee. S.F. 1678 (Lessard) establishes a controlled burn program for state and private lands. The program requires \$720,000 for fiscal years 1988 and 1989 to cover equipment purchases, technical assistance, coordinator's salary and support and publication of a manual. S.F. 1836 (Solon) appropriates \$3.5 million for a loan to the Western Lake Superior Sanitary District.

## Hazardous waste loan fund okayed

The Environmental Protection Subcommittee, Thurs., Mar. 3, approved establishment of a \$15 million fund for loans to municipalities for hazardous waste cleanup. S.F. 1754, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides for cleaning up sites that would be ready for economic development following the cleanup.

Subcommittee chair Sen. Gregory Dahl (DFL-Coon Rapids) added an amendment that split the loan fund in two. Half of the funds are to be provided for low interest loans to projects showing a positive cash flow and the other \$7.5 million would fund projects costing \$500,000 or less.

The panel also approved S.F. 2010, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), exempting innocent landowners from liability for PCA gasoline tank cleanup costs. Both bills were referred to the Environment and Natural Resources Committee.

## Panel approves waste management changes

A bill amending the Waste Management Act gained the Environment and Natural Resources Committee's approval, Fri., Mar. 4. S.F. 1891, authored by Sen. Gene Merriam (DFL-Coon Rapids) repeals a section of the law providing for landfill searches within the metropolitan area. Since the process started in 1980, Merriam said, eight sites have been designated for use as solid waste landfills. "If everything goes well, we won't need those eight sites," Merriam said. His bill contains several provisions for recycling wastes, from providing space for storing and processing wastes to establishing loan funds and grants for waste recycling facilities. The bill also specifies the responsibilities of the Legislative Commission on Waste Management and bans disposing of used oil on the land. Several amendments to the bill were adopted. Sen. Darril Wegscheid (DFL-Apple Valley) offered an amendment requiring incinerator ash to be stored separately from other types of wastes until testing and disposal requirements are established by the federal Environmental Protection Agency or until Mar. 1, 1990.

An amendment offered by Sen. Dennis Frederickson (IR-Morgan) exempts small amounts of oil used for lubricating farm machinery from the ban on placing oil on the land. The bill was referred to the Finance Committee.

A bill adding the Hill-Annex Mine located near Hibbing to the state park system was also approved and re-referred to the Finance Committee. The bill transfers operation and management of the open-pit mine and its interpretive center, now managed by the IRRRB, to the DNR. The bill appropriates \$270,000 for operation and maintenance of the park for fiscal year 1989 and \$160,000 to the DNR for land acquisition. The bill contains provisions allowing for future mining in the park if it ever again becomes economically feasible.

The committee also approved S.F. 2090, authored by committee chair Sen. Bob Lessard (DFL-Int'l. Falls), authorizing the DNR to convey a parcel of land to the city of Bigfork. The measure was sent to the Senate floor.

## Wild rice promotion bill forwarded

The Committee on Environment and Natural Resources, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), met Sat., Mar. 5, and approved 15 bills over the course of eight hours.

S.F. 517, authored by Sen. LeRoy Stumpf (DFL-Plummer) provides for the selection, sale and development of state land for raising wild rice. The committee added an amendment that makes both the commissioner of agriculture and the commissioner of natural

resources responsible for development of the program. The bill was further amended to include wild rice interest groups in the process of selecting and developing lands.

Other bill approved and referred to the Senate floor included: S.F. 2214 (Merriam) allowing the sale of state surplus lands to local governments; S.F. 1682 (Lessard) prohibiting the sale of beverage containers with nonbiodegradable connectors; S.F. 1754 (Pogemiller) providing loans for hazardous waste cleanup; S.F. 1763 (Wegscheid) authorizing implementation of a fee for disposal of municipal solid waste; S.F. 1689 (Stumpf) amending the dates for the Rainy River fishing season; S.F. 1735 (Merriam) requiring restitution for illegally killed or injured wild animals; S.F. 1674 (Dahl) providing criminal penalties for violation of pollution control statutes; S.F. 1748 (Berg) allowing experimental hunting seasons; S.F. 1668 (Dahl) authorizing the PCA to train employees who work in sewage treatment facilities; S.F. 2156 (Dahl) making it every citizen's responsibility to notify the PCA of potentially hazardous emissions into the air; S.F. 1927 (Morse) requiring certification of labs that perform environmental quality tests; S.F. 2217 (Novak) authorizing the transfer of a parcel of state land to Mounds View; S.F. 1806 (Stumpf) authorizing the sale of a parcel of land in Beltrami County; and S.F. 2162 (Wegscheid) authorizing the DNR to sell a parcel of land in Itasca County.

## Auto emission inspection bill gains

The Environment and Natural Resources Committee, Tues., Mar. 8, approved S.F. 1783, requiring annual inspections of passenger vehicle's emission systems. The bill, which applies only to the seven-county metropolitan area, contained a provision requiring that only unleaded gas containing fuels blended with oxygen could be sold to metropolitan motorists. The committee amended out the provision on a 9-4 roll call vote but later voted to re-refer the bill to the Agriculture Committee, rather than the Senate floor. The bill, sponsored by Sen. Ember Reichgott (DFL-New Hope), is designed to cut down on the amount of carbon monoxide released from automobiles. Under the bill, cars would be required to undergo the annual inspections in order to maintain vehicle registration. The bill also would meet federal Environmental Protection air quality standards, according to Reichgott.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved several other bills and forwarded them to the Senate floor. S.F. 1662, carried by Sen. Clarence Purfeerst (DFL-Faribault), provides additional funding for maintaining and reconstructing forest roads. S.F. 1632, authored by Sen. Fritz Knaak (IR-White Bear Lake), establishes a model erosion and sediment control program in Ramsey County. S.F. 1952 (Gustafson) provides assistance for sanitary districts for solid waste programs. S.F. 1598 (Bertram) requires the PCA to notify local governments when the agency intends to issue solid waste facility permits. S.F. 1823 (Samuelson) defines when a watershed district board may be dissolved and S.F. 1974 (Diessner) authorizes the Ramsey-Washington watershed district to impose a one mill levy. S.F. 1700 (Diessner) establishes a schedule for payment of certain watershed improvement costs.

Several bills changing the status of small parcels of land were approved. S.F. 2213 (Moe, R.D.) approves the sale of tax-forfeited land in East Grand Forks; S.F. 2160 (Luther) conveys land to Brooklyn Center; S.F. 1931 (Frederick) approves the sale of surplus state land to Owatonna; S.F. 1947 (Dicklich) authorizes the sale of tax-forfeited land in St. Louis County; S.F. 1427 (Reichgott) gives the city of Robbinsdale authorization to regulate surface water located within the city; and S.F. 2212 (Samuelson) revises provisions relating to the Heartland Trail.

## Finance

### Education budgets discussed

Discussion centering around the University Center at Rochester's operating and capital budgets; the HECB budget; and the community college system's operating budgets was the focus of the Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), Fri., Mar. 4.

The University Center at Rochester is requesting \$10.5 million in

bonding to build the center. Additionally, the center is requesting \$1.9 million for each of the first two years of operation and \$4.5 thereafter for operating expenses.

The HECB is requesting \$7.4 million for fiscal year 1989. The community college system is requesting \$16.3 million from the 1988 Legislature for operating expenses.

### **Budget requests reviewed**

Public testimony on the governor's supplemental budget and budget requests was heard by the Health and Human Services Division of Finance, chaired by Sen. Don Samuelson (DFL-Brainerd), Mon., Mar. 7.

Budget requests included Headstart's plea for a legislative increase in the governor's recommended \$1 million for Headstart programming to \$5 million. Alyce Dillion, an administrator of Headstart, advised the committee members to reinvest in Headstart if they want to reach the poorest of the poor families in the community.

Faith Zwemke of Child Care WORKS requested additional funding for Child Care WORKS as follows: \$1.1 million to fund a small grants program for improving child care facilities; \$350,000 for start-up and expansion of resource and referral child care services; and \$2.5 million to increase the sliding fee scale program. Though the Child Care WORKS' budget requests are not in the governor's budget, they requests are included in S.F. 1832, sponsored by Sen. Allan Spear (DFL-Mpls.).

### **U of M budget requests**

University of Minnesota President Kenneth Keller presented an overview of the University's capital and operating budgets to the Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), Tues., Mar. 8. Keller explained that he would be remiss not to talk about Eastcliff and "the long and short of it is that we goofed up." Keller further explained that the events at Eastcliff are especially upsetting because they are inconsistent with the University's Commitment to Focus. Waldorf questioned Keller on the University's inability to deal with a billion dollar budget. According to Waldorf, there have been questions regarding the management and organizational structures at the university. Keller agreed that there have been some problems.

Keller began his budget requests stating that the University's Commitment to Focus has been extraordinarily successful over the past year. The academic priorities of the university, Keller explained, are the general health of the organization, including minority programming; core programs, including the humanities program; land grant-related programs, including the Agricultural Experiment Station Multidisciplinary Research; and the specific opportunities for building quality, including the Institute for Mathematics and its Applications. According to Keller, the university is seeking \$25.3 million for its operating budget from the Legislature to fund these priorities.

### **Committees meet**

The Education Division of the Finance Committee, chaired by Sen. Gene Waldorf (DFL-St. Paul), discussed the University of Minnesota's capital budget, Wed., Mar. 9. Rick Heydinger, vice president of External Affairs, explained that replacing the heating boilers on the Twin Cities campus is the number one priority.

The Health and Human Services Division of Finance, chaired by Sen. Don Samuelson (DFL-Brainerd), also met, Wed., Mar. 9, to approve allocations for the Dept. of Corrections, Dept. of Health, Dept. of Jobs and Training, and the Dept. of Human Services. The committee also approved S.F. 1650 and sent it to the full Finance Committee. According to Samuelson, it is a noncontroversial bill which provides eligibility for and calculation of general assistance and AFDC grants. The measure will be incorporated into the omnibus bill, said Samuelson.

## **General Legislation and Public Gaming**

### **Bingo hall licensure bill okayed**

The General Legislation and Public Gaming Committee, Wed., Mar. 9, approved a bill requiring the licensure of bingo hall operators. Committee chair Sen. Marilyn Lantry (DFL-St. Paul), author of S.F. 1616, said the legislation requires that non-profit

organizations assume some responsibility for management of their bingo games. The bill places restrictions on the hiring of outside contractors to serve as gambling managers for charitable groups. Lantry said some organizations have gone into debt because of the actions of bingo contractors, thus precluding the purpose of charitable gambling.

The committee adopted the provisions of another bill, S.F. 2120, also relating to bingo, onto S.F. 1616. The combined bill places restrictions on the numbers of games that may be played per week and changes the definition of lawful expenditures from gambling proceeds. The committee adopted an amendment, offered by Sen. Dean Johnson (R-Willmar) allowing charitable organizations to spend up to \$10,000 for repair and maintenance of buildings. Any additional expenditures would be subject to the approval of the Gambling Control Board.

Roger Franke, executive director of the Gambling Control Board, said Minnesotans spent \$56 million on bingo games in 1987. Of that amount, 68 percent, or \$38 million, was returned to the players in prizes and \$1.7 million, or three percent, was collected by the state in taxes.

Changes in regulations regarding the eleven regional arts councils in the state also gained approval. S.F. 2097, authored by Sen. John Marty (DFL-Roseville), removes a restriction that disallowed anyone who had ever applied for a grant from the Minnesota Arts Council from serving on one of the Council's committees. The bill also makes the Minnesota State Arts Board the fiscal agent for the state, responsible for disbursing appropriations among the various arts councils.

A bill prohibiting the transportation of dogs or cats in open truck beds was approved. S.F. 1815 (Dicklich), exempts farm or ranch animals from the provisions. The bill further prohibits leaving dogs or cats unattended in vehicles during periods of extreme heat or cold, or in other situations which may endanger the animals' health or safety. An amendment, offered by Lantry, imposes a \$25 fine for violation of any of the provisions.

S.F. 2191 (Pogemiller) changes definitions of kennel operators and dealers of animals used for research.

All of the measures were sent to the Senate floor.

## **Governmental Operations**

### **Investment in Ireland debated**

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved, as amended, S.F. 722, relating to investment in Northern Ireland, Tues., Mar. 8. The amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), changes S.F. 722 into a resolution memorializing the President and Congress to encourage companies doing business in Northern Ireland to take affirmative action to eliminate religious and ethnic discrimination there.

Before amendment, S.F. 722, authored by Sen. Jerome Hughes (DFL-Maplewood), would have required the State Board of Investment to consider whether corporations doing business in Northern Ireland have taken affirmative action to eliminate religious or ethnic discrimination in Northern Ireland, and to invest in a manner to encourage corporations to pursue a policy of affirmative action in Northern Ireland.

The committee, which had devoted a previous hearing to the issue, heard further testimony, mostly from opponents of the measure. Objections to the bill centered around the belief that it would discourage investment in Northern Ireland, which could worsen the area's unemployment problem.

S.F. 722 was sent to the Senate floor.

Committee members also briefly discussed S.F. 1617, authored by Sen. Linda Berglin (DFL-Mpls.), relating to building code standards for family and group family day care.

### **Vets home bill advanced**

The Governmental Operations Committee narrowly defeated an amendment which would have removed majority control of a board to govern Minnesota Veterans Homes from Veterans Service Organizations Tues., Mar. 8. S.F. 1595, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), was later approved and re-referred to the Finance Committee.

The bill transfers control and administration of the Minnesota Veterans Homes from the Dept. of Human Services to a newly created board. The control of the homes was transferred last summer from the Dept. of Veterans Affairs to the Dept. of Human Services because of health violations.

The defeated amendment, proposed by Sen. John Marty (DFL-Roseville), would have altered membership of the board to include eight public members, experienced in policy formulation and knowledgeable about health care delivery, at least four of whom were veterans.

The board's membership under the legislation is composed of nine voting members appointed by the governor with the advice and consent of the Senate. Of the nine, five will be members of congressionally chartered veterans organizations; three will be public members experienced in policy formulation and knowledgeable about health care delivery; and a chair, designated by the governor. The Commissioner of Veterans Affairs will serve as a nonvoting ex-officio member.

The committee, chaired by Sen. Donald Moe (DFL-St. Paul), did adopt an amendment offered by Sen. Darril Wegscheid (DFL-Apple Valley) which requires that the five members of veterans service organizations also be experienced in policy formulation and knowledgeable about health care delivery. The amendment also removed the requirement that the chair of the Senate Veterans Committee and the chair of the House Committee on General Legislation, Veterans Affairs and Gaming serve as nonvoting ex-officio members.

In other action, the committee approved, as amended, S.F. 2174, authored by Sen. Steven Morse (DFL-Dakota). The bill repeals, effective Aug. 15, 1989, the law allowing court administrators to appeal to district court regarding their salaries set by the county board. An amendment, offered by Wegscheid and approved by the committee, creates a task force to study the relationship between the district court and the counties and to make recommendations regarding the control and financing of the district courts. The bill was sent to the full Senate.

In addition, the committee approved S.F. 2413, authored by Moe, which authorizes employer deferred compensation plan contributions in certain instances; S.F. 1617, authored by Sen. Linda Berglin (DFL-Mpls.), relating to building code standards for family and group family day care homes; and S.F. 2150, authored by Sen. Charles Davis (DFL-Princeton), prohibiting the state from requiring Indian tribes or bands to deny their sovereignty to contract with the state. All three bills were sent to the Senate floor.

The committee adopted as a committee bill a measure offered by Wegscheid which provides that the administration and financing of the district court be transferred to the state effective July 1, 1990. The bill will be sent to the Finance Committee.

### **Fiduciary responsibility bill advanced**

S.F. 980, relating to fiduciary responsibility, was approved, as amended, by the Governmental Operations Committee Wed., Mar. 9. The bill, authored by committee chair Sen. Donald Moe (DFL-St. Paul), was sent to the full Senate.

The bill outlines the responsibilities and liabilities of public pension plan fiduciaries. It sets a general standard of fiduciary conduct and establishes the responsibilities of a cofiduciary.

In other action, the committee approved, as amended, S.F. 2074, also authored by Moe. Before amendment, the bill added two state representatives to the board of the Minneapolis Employees Retirement Fund and transferred the administration of the fund to the public employees retirement association. However, an amendment offered by Moe deleted the section transferring administration of the fund. The amendment was approved.

Committee members defeated a motion by Sen. Lawrence Pogemiller (DFL-Mpls.) to lay the bill on the table. S.F. 2074 passed narrowly and was sent to the full Senate.

## **Health and Human Services Bills advance**

A late night meeting, Thurs., Mar. 3, of the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), centered around two controversial bills, S.F. 1904 and S.F. 335. Both

bills were approved, after extensive testimony, and sent to the floor.

S.F. 1904, sponsored by Sen. Pat Piper (DFL-Austin), deals with the Board of Medical Examiners. The most controversial provision of the bill exempts from publication disciplinary action taken against a physician for chemical abuse as long as they have not harmed a patient under the influence of chemicals. Under the measure, the information would be exempt from publication but still remain public. The Board of Medical Examiners argue that the publication requirement, in cases relating to chemical abuse by physicians, inhibits physicians from seeking help. In fact, according to Dr. Bill Jacott, the publication requirement deters colleagues from reporting another physician and impedes physicians from reporting themselves. The publication requirement does not resolve the problem, argued Jacott.

Those opposing the exemption from publication, argue that it is bad policy and that the board has an obligation to report and publish the information. According to Nancy Spande, an opponent of the exemption, it is not realistic or appropriate to shift the responsibility of discovery onto the public. She further argued that individual vulnerability is the greatest when information is the least. Sen. A.W. "Bill" Diessner (DFL-Afton) offered an amendment to the bill, requiring the exemption from publication to be repealed on August 1, 1990. The amendment was adopted.

Sen. John Brandl, author of S.F. 333, explained that S.F. 333 provides consumers with direct access to physical therapists without a referral by a physician. According to Brandl, legislation passed three years ago allowed physical therapists limited access; however the Board of Medical Examiners has not yet implemented the legislation. The main thrust of opposing argument was that physical therapists are not physicians. Physical therapists argue that they are qualified to treat patients without a physician's referral.

### **HMO bills progress**

The Health and Human Services Committee approved five bills Fri., Mar. 4. S.F. 1861, authored by Sen. James Pehler (DFL-St. Cloud), S.F. 1388, authored by committee chair, Linda Berglin (DFL-Mpls.), and S.F. 2008, authored by Sen. John Brandl (DFL-Mpls.), are all measures addressing HMOs and were previously approved in the Health and Health Financing Subcommittee of the Health and Human Services Committee.

S.F. 1861 relating to HMO insurance, and S.F. 1388, establishing a HMO Bill of Rights for HMO enrollees, were both sent to the floor for further action. S.F. 2008, addressing HMO financial solvency, was amended to eliminate the requirement of HMO's to become members in the Life and Health Guarantee Association and instead requires HMOs, in cases of insolvency, to reassign enrollees to alternate health care plans through the Comprehensive Health Care Association. The bill was also amended to extend the phase-in time of the net worth requirement from three years to five years. The bill was re-referred to the Finance Committee.

Other measures approved include S.F. 1637, authored by Sen. Lyle Mehrkens (IR-Red Wing), and S.F. 2261, authored by Sen. John Marty (DFL-Roseville). S.F. 1637 provides continued hospitalization for Alvera Lohman, a polio survivor, who who has been hospitalized for the past 30 years. S.F. 2261 regulates both the sale of hearing aids and persons who dispense hearing aids. Both bills were re-referred to the Finance Committee.

### **Nursing home bill discussed**

In an effort to reach a compromise on rate appeals between nursing home care providers and the Dept. of Human Services, the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), discussed S.F. 2247, sponsored by Sen. William Luther (DFL-Brooklyn Park), Tues., Mar. 8. According to Luther, the backlog of nursing home rate appeals is significant; currently there are over 1,000 rate appeals in the pipeline.

Two bills, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), were approved and re-referred to the Finance Committee. S.F. 2121 appropriates up to \$200,000 from the general fund for administering six pilot Strive Towards Excellence in Performance projects. S.F. 1842 establishes and appropriates \$300,000 from the general fund for an inventory, referral, and intake system for jobs and training and income maintenance services.

## American Indian shelter approved

Eileen Hudon, from Women of Nations, explained to the Health and Human Services Committee, Wed., Mar. 9, that existing battered women's shelters fail to meet the needs of American Indian women seeking assistance. Thus, the American Indian women do not stay in the shelters for very long and return home to the battering situation. S.F. 1625, sponsored by committee chair, Linda Berglin, appropriates \$195,000 to establish a shelter for battered American Indian women. The bill was approved and re-referred to the Finance Committee.

S.F. 2138, S.F. 2157, and S.F. 2158, sponsored by Sen. Jim Vickerman (DFL-Tracy), were also approved and re-referred to the Finance Committee. S.F. 2138 provides exceptions to the moratorium on beds in intermediate care facilities for persons with mental retardation or related conditions. S.F. 2157 exempts licensed adult foster care homes from the negotiated rate limit. It also directs the Dept. of Human Services commissioner to adopt emergency and permanent rules establishing statewide minimum maintenance and difficulty of care for adults in foster care. S.F. 2158 extends state-provided foster home insurance to cover licensed adult foster care homes.

Three other bills were approved by the committee and sent to the floor. S.F. 2203, sponsored by Sen. Duane Benson (IR-Lanesboro), authorizes counties to establish adult protection teams. S.F. 2206, sponsored by Sen. Donna Peterson (DFL-Mpls.), requires county community social service plans to address the county's responsibility to establish a system of early intervention services for handicapped children. S.F. 2243, sponsored by Berglin, provides employment program rights to persons with disabilities. It also requires the county social service plans to include employment programs to persons with disabilities.

## Judiciary

### Dangerous dog bill advances

A bill setting penalties for owners of dangerous dogs gained the approval of the Judiciary Committee, Thurs., Mar. 3. The measure, S.F. 1744, also requires owners of dangerous dogs to register the animal with either the municipality or county licensing authority; defines "dangerous dog" and "potentially dangerous dog"; and requires the owner to post a surety bond or obtain liability insurance. Further, the bill, sponsored by Sen. Charles Berg (DFL-Chokio), sets a gross misdemeanor penalty for failure to register the dog and felony penalties for the owner if the dog causes great bodily harm to, or the death of, another person.

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved nine additional bills. S.F. 1741, authored by Sen. Jim Ramstad (IR-Minnetonka), requires that a judgment creditor must file a certificate of satisfaction with the court administrator within ten days of the satisfaction of judgment. S.F. 1613, sponsored by Sen. Randolph Peterson (DFL-Wyoming), broadens the criminal liability of passengers under the open bottle law by eliminating the requirement that the container be "on the person" of the passenger. S.F. 1615, sponsored by Tad Jude (DFL-Maple Grove), modifies provisions of the statute dealing with the length of restrictive covenants on real property.

S.F. 1820, sponsored by Sen. Donna Peterson (DFL-Mpls.), clarifies the defenses to a charge of deprivation of parental rights by requiring the defendant to prove elements of the defense. S.F. 1835, authored by Spear, provides that burglary occurs if a person enters a building without consent and commits a crime without intent while in the building. In addition, the bill extends first degree burglary to instances where an assault occurs on the property adjacent to the entered building and makes it a felony to possess burglary tools. S.F. 1868, authored by Sen. John Marty (DFL-Roseville), allows the U of M, community colleges, the state university, and metropolitan commissions to regulate the possession of firearms in buildings under the jurisdiction of those political subdivisions. According to Marty, the bill is designed to allow the Metropolitan Airports Commission police to confiscate firearms in airport buildings and to let colleges and universities regulate the possession of firearms on campuses.

S.F. 1761, also sponsored by Marty, makes it a misdemeanor to

drive 85 miles per hour or 30 miles per hour over the posted speed limit. A provision prohibiting plea bargaining for speeding violations was stricken from the bill. S.F. 1652, authored by Sen. Fritz Knaak (IR-White Bear Lake), allows the court to appoint a qualified person experienced in the valuation of pension benefits and rights to function as an expert witness in marriage dissolution proceedings. Under current law, the court is authorized to appoint only approved actuaries.

S.F. 1582, authored by Sen. Linda Berglin (DFL-Mpls.), specifies conditions for entering and docketing judgments for failure to pay child support. According to Berglin, the bill is necessary in order to comply with federal law. As a result, the measure was amended to encompass only the issues that threatened to incur federal penalties for non-compliance.

### Computer crimes penalties approved

A bill establishing various penalties for unauthorized access of computer systems gained the approval of the Judiciary Committee, Mon., Mar. 7. S.F. 1553, authored by Sen. Darril Wegscheid (DFL-Apple Valley), defines terms and creates the new crime of unauthorized computer access. Under the bill, the crime is a felony if the unauthorized access creates a grave risk of causing the death of a person; it is a gross misdemeanor if the unauthorized access creates a risk that endangers public health and safety. Further, two or more gross misdemeanor violations would result in a felony penalty.

In other action, the panel, chaired by Sen. Allan Spear (DFL-Mpls.), approved three additional bills. The first, S.F. 2107, authored by Sen. William Luther (DFL-Brooklyn Park), sets a felony penalty for crimes committed with the use of a "replica" gun. Under the bill, "replica firearm" is defined as a device or object that is a facsimile or toy version of a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm. In addition, the bill creates the new crime of terroristic threats using a replica firearm and sets a felony penalty of one year and one day imprisonment.

The panel also approved S.F. 1871, sponsored by Sen. Jim Ramstad (IR-Minnetonka). The measure provides penalties for false accusations of child abuse intended to influence child custody proceedings. Finally, S.F. 2104, requiring the recording of domestic abuse proceedings, was also approved. The measure is sponsored by Sen. Linda Berglin (DFL-Mpls.).

All four bills were sent to the full Senate.

### Discounting of future damages law discussed

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met twice Wed., Mar. 9. The morning hearing saw the approval of three bills and extensive discussion of two additional measures.

S.F. 1675, carried by Spear, generated considerable debate. The measure originally repealed the law that required the discounting of future damage awards in liability cases. An amendment, offered by Spear, altered the formula for the discounting of future damages. Under the amendment, the discount rate is to be calculated using the average rate from the secondary market yield on one year U.S. treasury bills for the twenty calendar years preceding the trial less the average increase in the Consumer Price Index for all Urban Consumers for the same twenty-year period. The current law uses the a five year time period. In addition, the amendment uses different figures to calculate future medical expenses. An amendment offered by Sen. Fritz Knaak (IR-White Bear Lake), offers a more restrained change in the calculation of the discount. The bill was laid over pending action at the evening meeting.

S.F. 2130, authored by Sen. Steven Morse (DFL-Dakota), limits the tort liability of owners of "pick your own" farms. The bill was debated extensively before being laid over for consideration at a later date.

The three measures gaining approval included: S.F. 2257, authored by Sen. Steven Novak (DFL-New Brighton), closing a three month gap in the home warranty statute so that individuals could file suits based on construction that was completed between Sept. 15, 1977 and Jan. 1, 1978; S.F. 2119, sponsored by Spear, clarifying the assessment duties of local welfare agencies under the child abuse reporting law; and S.F. 1532, authored by Sen. Michael

Freeman (DFL-Richfield), modifying the statute of limitations for damages based on services or construction to improve real property and modifying the state of limitations for asbestos actions.

## Local and Urban Government

### Gifts to hospital okayed

A bill allowing various local units of government to make monetary gifts to a private hospital gained the approval of the Local and Urban Government Committee, Mon., Mar. 7. S.F. 2046, authored by Sen. Jim Vickerman (DFL-Tracy), allows local governments in Cottonwood, Murray, and Redwood Counties to contribute public funds in the form of gifts to the Schmidt Memorial Hospital in Westbrook.

In other action, the panel, chaired by Sen. Robert Schmitz (DFL-Jordan), approved two additional bills. S.F. 2177, sponsored by Sen. William Belanger (IR-Bloomington), requires that certified copies of variances be filed for both abstract or registered property. S.F. 2102, sponsored by Sen. Carl Kroening (DFL-Mpls.), authorizes the Minneapolis Park and Recreation Board to set the compensation for board members. Currently, the Legislature must review and approve the level of compensation before the members of the board adopt a resolution setting the compensation. The current level of compensation is \$3,600 per year, and a representative of the Park and Recreation Board anticipates that the level of compensation would be raised to \$4,800 per year, subject to the board's approval.

## Public Utilities and Energy

### Task force on energy policies approved

A bill establishing a task force on energy policies for low-income persons was approved by the Public Utilities and Energy Committee, Thurs., Mar. 10, and forwarded on to the full Senate. S.F. 2456, authored by Sen. Sam Solon (DFL-Duluth), provides that the task force be made up of five members of the House of Representatives and five members of the Senate. In addition, the bill directs the task force to study the needs of low-income Minnesotans, review the efficiency, coordination, and effectiveness of existing programs, determine the roles of federal government programs in meeting the needs of low-income persons and develop a policy on the energy needs of low-income persons. The task force is further directed to report findings to the governor and the Legislature by Jan. 1, 1989.

A second bill gaining committee approval, S.F. 1834, prohibits water utilities from imposing additional standby charges on owners of buildings with fire protection systems. The measure, sponsored by Sen. Joe Bertram (DFL-Paynesville), was forwarded on to the Senate floor.

Committee members, chaired by Sen. Ronald Dicklich (DFL-Hibbing), resumed hearing testimony on S.F. 2127, the bill making changes in the conservation improvement program. The bill, sponsored by Sen. John Marty (DFL-Roseville), failed to gain approval.

## Taxes and Tax Laws

### Panel forwards nine bills

The city of St. Paul will be given the authority to issue capital improvement bonds for five more years, under a bill approved by the Property Taxes and Local Government Aids Division, Tues., Mar. 8. H.F. 289 is sponsored by Sen. Marilyn Lantry (DFL-St. Paul).

A bonding bill for Duluth, S.F. 479 (Solon), extending that city's authority to issue capital equipment bonds, also gained approval.

Seven other bills were approved and referred to the Taxes and Tax Laws Committee. S.F. 22 (Chmielewski) allows Chisago and Kanabec Counties to implement a three-fourths mill levy for funding the county historical societies. The levy is subject to a referendum. S.F. 1760 (Vickerman) provides for duties of township officers. H.F. 1156 (Berg) allows the Traverse County Board to levy up to one-half mill for funding the county fair. H.F. 1459

(Samuelson) removes the restriction on the amount the town of Irondale may levy. S.F. 1565 (Schmitz) allows the city of Jordan, a home rule charter city, to issue tax anticipation certificates equal to the amount of taxes expected to be collected in the year. S.F. 1706 (Pehler) allows the transfer of parcels of land without payment of property taxes at the time of transfer, and S.F. 2136 (Dicklich) allows the city of Biwabik to levy property taxes up to ten percent higher than the amount generally permitted under levy laws.

## Transportation

### Bridge bonding plan supported

Under a bill approved by the Transportation Committee, Tues., Mar. 8, the amount available for state bridge bonding programs will be raised from \$52 million to \$84 million. The additional funding is to be appropriated from the state transportation fund.

S.F. 267, authored by Sen. Clarence Purfeerst (DFL-Faribault), chair of the committee, stipulates that the funds raised will be awarded as grants to local units of government to finance construction and reconstruction of bridges. No more than \$8 million may be expended during each fiscal year from 1988 to 1991. The bill was re-referred to the Finance Committee.

The committee also re-referred S.F. 1569 to the Finance Committee. The bill, authored by Sen. Jim Vickerman (DFL-Tracy), removes restrictions put into law in 1987 regarding funding for tourist information centers. The bill is designed to work with Gov. Rudy Perpich's proposal to fund the centers with \$23,000 in 1988 and \$850,000 in 1989.

Sen. Gene Waldorf's (DFL-St. Paul) bill, S.F. 1154, imposing a flat tax of \$90 on collector vehicles, was approved and re-referred to the Taxes and Tax Laws Committee. The tax is in lieu of the regular excise tax on older model automobiles.

Two bills were approved and forwarded to the Senate floor. S.F. 1876 (Novak) makes changes in regulations governing motor carriers and requires that Minnesota rules rather than federal rules be met for transportation of hazardous materials. S.F. 974 (Brandl) memorializes U.S. Congress to enact legislation prohibiting the use of Stage 2 aircraft after 1995. Stage 2 aircraft have noisier engines than those designated Stage 3, Brandl said.

## Veterans

### Committee approves bills for new vets homes

The Veterans Committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), approved S.F. 2412 and S.F. 1463, regarding the establishment of veterans homes, Tues., Mar. 8. Both bills were re-referred to the Health and Human Services Committee.

S.F. 2412, authored by Sen. Douglas Johnson (DFL-Cook), requires that the Commissioner of Veterans Affairs establish a veterans home in Silver Bay, Minnesota, by renovating an existing facility owned by Silver Bay.

The bill appropriates \$1.6 million for the renovation. However, the money is only available upon certification that matching funds up to 65 percent of the total will be provided by nonstate sources. Therefore, although the original appropriation is \$1.6 million, the actual cost to the state will only be \$600,000, Johnson explained.

S.F. 1463, authored by Sen. Gary DeCramer (DFL-Ghent), provides for the establishment of a veterans outreach center in southwestern Minnesota. The bill also establishes a board of directors of the southwestern Minnesota veterans home. The board will determine, based on a study by the Commissioner of Veterans Affairs, whether to locate a home in southwestern Minnesota. If a home is created, the board would manage it, DeCramer said.

The bill also provides an unspecified appropriation which would be available upon certification that an equal amount of money had been provided by nonstate sources.

In other action, the committee approved S.F. 2109, authored by Bertram, appropriating \$3,250,000 to the adjutant general to pay a state cash bonus each year to eligible members of the Minnesota National Guard. The appropriation is available for the cash bonuses until expended. The bill was re-referred to the Finance Committee.

# Preview

## The Minnesota Senate Week at a Glance

Monday, March 14, 1988

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

8:30 AM Room 125 Capitol

**Agenda:** S.F. 747-Peterson, R.W.: Mental retardation residential program. S.F. 1869-Berglin: Comprehensive Mental Health Act. S.F. 1857-Lantry: Welfare reform.

**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. 2124-Spear: Hate crimes reporting bill. S.F. 1892-Reichgott: Corporate takeover law technical amendments. S.F. 2329-Luther: Control share acquisition, business combination corporate bylaw provisions. S.F. 2493-Luther: Anti-takeover corporation bylaw provisions.

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

12:00 PM Room 107 Capitol

**Agenda:** H.F. 1766/S.F. 1634-Johnson, D.J.: Hold special town meeting before imposing a lodging tax. H.F. 2446/S.F. 2299-Solon: St. Louis County; duties of county board and administration, regulating finances. H.F. 1926/S.F. 2234-Stumpf: Emergency services; permitting political subdivision to authorize aid.

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

**Education Committee Education Funding Division, Chair:**

Randolph Peterson

3:00 PM Room 15 Capitol

**Agenda:** S.F. 2095-Peterson, R.W.: Omnibus education funding bill.

**Education Committee, Chair:** James Pehler

Following division meeting Room 15 Capitol

**Agenda:** S.F. 2095-Peterson, R.W.: Omnibus education funding bill.

**Commerce Subcommittee on Insurance, Chair:** William Luther

3:00 PM Room 112 Capitol

**Agenda:** S.F. 1845-Luther: Omnibus insurance bill.

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

3:00 PM Room 125 Capitol

**Agenda:** S.F. 468-Solon: Invention and Innovation Center. S.F. 650-Stumpf: Cooperative management of wildlife resources. S.F. 821-Pogemiller: Tax exemption for certain bonds. S.F. 1218-Laidig: Land survey documents preservation. S.F. 1454-Beckman: Small business bureau. S.F. 1591-Kroening: Great River Road project. S.F. 1618-Bertram: Armories; bonded indebtedness. S.F. 2198-Solon: Duluth's western waterfront trail. S.F. 1930-Moe, R.D.: MN Advisory Commission on Intergovernmental Relations. S.F. 2349-Cohen: MN Motion Picture Board matching funds. S.F. 2361-Waldorf: Como Park capital improvements. S.F. 1417-Dahl: Economic development; secondary markets. S.F. 1685-Pogemiller: Export Finance Authority; removing certain limitations. S.F. 1709-Chmielewski: Tourist facilities at Cloquet. S.F. 1831-Pogemiller: Regional cable television matching grant. S.F. 1999-Moe, D.M.: Restoration of union depot concourse. S.F. 1093-Chmielewski: Wage protection.

Tuesday, March 15, 1988

**Employment Committee, Chair:** Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 2054-Marty: Prohibiting employer reprisals against employees who decline to participate in charitable fund drives. S.F. 2332-Morse: Workers compensation. S.F. 2315-Diessner: Workers compensation. S.F. 2235-Stumpf:

Workers compensation. S.F. 2428-Chmielewski: Workers compensation. S.F. 2475-Ramstad: Workers compensation.

**Governmental Operations Committee, Chair:** Donald Moe

8:00 AM Room 15 Capitol

**Agenda:** To be announced.

**Transportation Committee, Chair:** Clarence Purfeerst

8:00 AM Room 112 Capitol

**Agenda:** H.F. 1816-Frank: Child seats in rented cars. H.F. 2056-Spear: Requiring corrective deed to be issued to Basilica of St. Mary. S.F. 1517-McQuaid: Fines for overweight violations. S.F. 1590-Vickerman: Mn/DOT housekeeping. S.F. 1827-Langseth: Fuel tax reporting. S.F. 2230-Piper: Slow moving vehicle sign. S.F. 1886-Davis: Right-of-way bonds.

**Commerce Committee, Chair:** Sam Solon

10:00 AM Room 112 Capitol

**Agenda:** H.F. 2309/S.F. 2096-Schmitz: Regulates wholesale sales of agricultural equipment. H.F. 2567/S.F. 2384-Schmitz: Payment to farm implement retailer by successor. H.F. 1805/S.F. 1737-Marty: Repairs and inspections of furnace to include noxious gases. H.F. 1962/S.F. 1924-Luther: Implied warranties of home heating systems. H.F. 2491/S.F. 2347-Solon: Relating to franchises. S.F. 1469-Pogemiller: Changing licensing requirements for barbers.

**Public Utilities and Energy Committee, Chair:** Ronald Dicklich

10:00 AM Room 15 Capitol

**Agenda:** S.F. 2244-Dicklich: Relates to cable television.

**Environment and Natural Resources Committee, Chair:** Bob Lessard

1:00 PM Room 112 Capitol

**Agenda:** To be announced.

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

1:00 PM Room 15 Capitol

**Agenda:** S.F. 1928-Morse: Drinking water lead pipe. S.F. 2139-Berglin: ICF/MR process for determining rates. S.F. 1975-Berglin: Omnibus nursing home bill. S.F. 2159-Solon: Allows additional demonstration projects; uninsured low-income; Crow Wing. S.F. 2263-Berglin: State health insurance for uninsured; sliding fee. H.F. 1189/S.F. 1421-Solon: Direct regulation of self insurance memorializing Congress. H.F. 421/S.F. 951-Chmielewski: Authorizes Commissioner of Health to issue subpoenas. S.F. 752-Reichgott: Pharmacy registration and licensure.

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

3:00 PM Room 125 Capitol

**Agenda:** Capitol budget overview of technical institutes.

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

3:00 PM Room 123 Capitol

**Agenda:** Continuation of 3/14 agenda.

Wednesday, March 16, 1988

**General Legislation and Public Gaming Committee, Chair:** Marilyn Lantry

8:00 AM Room 107 Capitol

**Agenda:** Confirmation hearings for the Board of Arts, the Minnesota Racing Commission, and the Charitable Gambling Control Board.

**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 123 Capitol

**Agenda:** To be announced.

**Judiciary Committee, Chair:** Allan Spear

10:00 AM Room 15 Capitol

**Agenda:** S.F. 1660-Brandl: Surrogate mother agreements. S.F. 2055-Berglin: Commitment law modifications; outpatient commitment. S.F. 2207-Berglin: Disclosure of assets and liabilities by parties to marriage dissolution. S.F. 2275-Cohen: CHIPS juvenile code modifications.

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

**Agenda:** S.F. 1825-Samuels: MA case management pilot program. S.F. 1853-Solon: GAMC for prisoners. S.F. 1870-Lantry: Epilepsy demo program. H.F. 2132/S.F. 2018-Berglin: GA drug dependent; authorizes representative payee. S.F. 2273-Berglin: Mental health RTC mission statement. S.F. 2012-Vickerman: SILS grants. S.F. 2293-Chmielewski: MA pilot program rehabilitative work advisory program. S.F. 1935-Chmielewski: Medical screening Conwed Corporation.

**Finance Committee Education Division, Chair: Gene Waldorf**  
3:00 PM Room 123 Capitol

**Agenda:** Community college system capital budget overview.

**Joint House/Senate Subcommittee on Claims, Chairs: Sen. Gregory Dahl and Rep. Henry Kalis**

5:00 PM Room 112 Capitol

**Agenda:** Various pending claims. Omnibus claims bill 1988.

**Governmental Operations Committee, Chair: Donald Moe**  
6:00 PM Room 15 Capitol

**Agenda:** To be announced.

**Judiciary Committee, Chair: Allan Spear** 7:30 PM Room 107 Capitol

**Agenda:** S.F. 1540-Laidig: Sentencing Guidelines Commission composition. S.F. 1619-Spear: Repeal of ticket scalping crime. S.F. 1727-Piper: Department of Jobs and Training employment services data privacy. S.F. 1736-Peterson, D.C.: Display of sexually explicit material harmful to minors. S.F. 1788-Peterson, R.W.: Secretary of State filing modifications. S.F. 1792-Laidig: Proof of prior convictions sentencing enhancement, criminal history score. S.F. 1841-Spear: Authorizing court imposition of ignition interlock for DWI offenders. S.F. 2023-Berglin: Recording of contract for deed transfers. S.F. 2071-Pogemiller: Neighborhood impact statement in PSI report for certain drug crimes. S.F. 2122-Peterson, R.W.: Omnibus data practices bill. S.F. 2125-Spear: Sentencing Guidelines Commission study of three sentencing issues. S.F. 2324-Jude: Reciprocal transboundary pollution remedies. S.F. 2429-Cohen: Destruction of driver's license record of rescinded revocations, suspensions.

**Thursday, March 17, 1988**

**Employment Committee, Chair: Florian Chmielewski**

8:00 AM Room 107 Capitol

**Agenda:** Continuation of 3/15 agenda. S.F. XXXX: Department of Labor and Industry workers compensation bill.

**Governmental Operations Committee, Chair: Donald Moe**

8:00 AM Room 15 Capitol

**Agenda:** To be announced.

**Transportation Committee, Chair: Clarence Purfeerst**

8:00 AM Room 112 Capitol

**Agenda:** S.F. 1336-Samuels: Transporting firewood. S.F. 1060-DeCramer: Brake bill. S.F. 2221-DeCramer: Motorcycle safety fund. S.F. 1610-Bertram: Specific service road signs. S.F. 1696-Vickerman: Special event signs. S.F. 2344-Beckman: AMVETS.

**Commerce Committee, Chair: Sam Solon**

10:00 AM Room 112 Capitol

**Agenda:** H.F. 1914/S.F. 1845-Luther: Omnibus insurance bill.

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

12:00 PM Room 107 Capitol

**Agenda:** To be announced.

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

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

3:00 PM Room 125 Capitol

**Agenda:** Continuation of 3/15 agenda.

**Governmental Operations Committee, Chair: Donald Moe**

6:00 PM Room 15 Capitol

**Agenda:** To be announced.

**Friday, March 18, 1988**

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

10:00 AM Room 125 Capitol

**Agenda:** Finish HECB budget review. Operating budgets allocations. Capital budgets allocations.

**Judiciary Committee, Chair: Allan Spear**

10:00 AM Room 15 Capitol

**Agenda:** S.F. 268-Chmielewski: Right to bear arms constitutional amendment. S.F. 2183-Berglin: Penalties for hate crimes. S.F. 964-Marty: Termination of parental rights, custody for neglected children. H.F. 1754/S.F. 1693-Peterson, D.C.: "Son of Sam" crime victim reparations law modifications. H.F. 10/S.F. 101-Jude: Increased mandatory minimum sentence for murder one; manslaughter one provocation. S.F. 2472-Diessner: Gross misdemeanor for six month aggregated worthless checks over \$200.

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

1:00 PM Room 15 Capitol

**Agenda:** To be announced.

**Agriculture Committee, Chair: Charles Davis**

7:30 PM Room 15 Capitol

**Agenda:** To be announced.

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Room 95 State Office Building

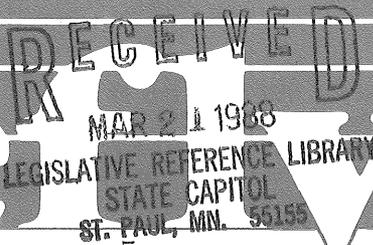
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88 March 18

# Brief



## The Minnesota Senate Week in Review

March 18, 1988

### Ed funding omnibus bill approved

The Education Funding Division of the Education Committee approved, as amended, the Omnibus Education Funding Bill, Monday, March 14. The full Education Committee approved the bill immediately following the division meeting.

The bill, S.F. 2095, carried by division chair Sen. Randolph Peterson (DFL-Wyoming), raises the general education levy and the basic transportation levy for fiscal year 1990 by two percent over the previous year. The general education levy is set at the mill rate that generates \$1,100,580,000. The basic transportation levy is set at the mill rate that will yield \$72,681,200.

S.F. 2095 also establishes a statewide enrollment options program. Districts will be required to permit their resident students to attend nonresident districts, but may decide that a nonresident student may not attend its school. An amendment approved by the division added a deadline for student application of December 1 for enrollment during the following fiscal year. Effectively, then, a student could not take advantage of this program until next year.

Other portions of the bill address the question of American Indian students and their unique academic needs. The legislation requires certain school boards to actively recruit American Indian teachers applicants and provides for a cooperative program to assist American Indian people become teachers. S.F. 2095 also establishes an Indian school council to develop recommendations for Indian public schools, an urban Indian school district or districts, or other means of achieving Indian control of Indian education.

Major items that the bill cites for appropriations for fiscal year 1989 include funding a special education deficiency (about \$6 million) and desegregation grants for Minneapolis, St. Paul and Duluth (about \$11.6 million).

After approval by the full Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), the bill was re-referred to the Taxes and Tax Laws Committee.

### State mammal bill gains

The Senate gave preliminary approval to S.F. 1623, authored by Sen. LeRoy Stumpf (DFL-Plummer), during its Monday, March 14, floor session. The bill designates the white-tailed deer as the official state mammal.

An amendment offered by Sen. Steven Morse (DFL-Dakota) and approved by the Senate inserts "odocoileus virginianus" after the word deer.

Sen. Donna Peterson (DFL-Mpls.), proposed an amendment which would have designated the Holstein Cow as the state mammal. The amendment was withdrawn.

Preliminary approval was also granted S.F. 1607, authored by Peterson, providing for the appointment, compensation and liability of certain city employees and contractors; and H.F. 1740, carried by Peterson, clarifying the definition of the word "consent" when used as a defense in criminal sexual conduct cases.

Senators gave final approval to H.F. 1884, sponsored by Stumpf, authorizing private conveyance of tax-forfeited land in Beltrami County.

A brief floor session was held Tuesday, March 15, in order to process work at the front desk. In addition, members of the Senate granted concurrence and repassage to S.F. 1594. The bill, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), makes numerous technical changes to the Human Services Licensing Act.

### Ten bills granted final passage

Senators gave final passage to ten bills during the Thursday, March 17, floor session. Bills on the Senate Calendar for final passage included S.F. 1607, authored by Sen. Donna Peterson (DFL-Mpls.), providing for the appointment, compensation and liability of certain city employees and contractors; H.F. 1740, also carried by Peterson, clarifying the definition of the word "consent" when used as a defense in criminal sexual conduct cases; and S.F. 1623, authored by Sen. LeRoy Stumpf (DFL-Plummer), designating the white-tailed deer as the official state mammal.

From the Consent Calendar, final passage was given seven bills. H.F. 2045, carried by Sen. Ronald Dicklich (DFL-Hibbing), authorizes the private sale of tax-forfeited land in St. Louis County. S.F. 2264, authored by Sen. John Marty (DFL-Roseville), allows Falcon Heights to consolidate election precincts. S.F. 2134, authored by Dicklich, relates to a polling place in St. Louis County. S.F. 1717, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), adds certain land to Jay Cooke State Park. S.F. 2358, authored by Sen. Clarence Purfeerst (DFL-Faribault), designates legislative trunk highway No. 299 as Olof Hanson Drive. S.F. 1713, carried by Chmielewski, authorizes the private sale of certain tax-forfeited lands in Carlton County. S.F. 2367, authored by Stumpf, eliminates a diversion of game and fish license fee money.

### Trigger tax repeal supported

The Income Tax Division, Wed., Mar. 16, voted to repeal the "trigger tax," a provision that would automatically raise individual and corporate income taxes if the state's reserve fund dropped to \$150 million or below. The taxes would rise at higher increments the lower the fund balance dropped. Several representatives for business interests supported the repeal. However, Wayne Cox, representing the Minnesota Citizens for Tax Justice, said he supported the trigger tax because it would maintain a budget reserve.

The division chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), acted on Sen. Douglas Johnson's (DFL-Cook) bill, S.F. 1756, but six other senators had introduced identical repealer bills.

### Vehicle inspection bill amended

For the second time, the vehicle inspection bill, S.F. 1783, was amended against the author's wishes to include Sen. Gary DeCramer's (DFL-Ghent) "ethanol provision." The original draft of the bill, authored by Sen. Ember Reichgott (DFL-New Hope), requires mandatory annual inspections of motor vehicle emission control equipment on vehicles registered in the metropolitan area. The inspections will cost the vehicle owner \$10. The bill also requires that gasoline sold in the metropolitan area must contain oxygenated fuel. DeCramer's amendment takes the oxygenated fuel provision one step further. The amendment requires unleaded gasoline with an octane rating of 90 or less to contain an oxygen blend consisting of 3.5 percent. Currently, ethanol is the only oxygenate approved by the EPA that meets the 3.5 percent standard. Reichgott urged committee members to vote down the amendment arguing that "the amendment should be a separate bill to rise and fall on its own merits." However, the amendment was adopted by a 14-0 vote at the Agriculture Committee meeting Wed., Mar. 16. The bill was approved and sent to the floor.

# Committee Capsule

## Agriculture

### Five bills advance

The Agriculture Committee discussed six bills Thurs., Mar. 10. Five bills were approved and one bill was defeated. S.F. 552, sponsored by Sen. Joseph Bertram (DFL-Paynesville), and S.F. 2327, sponsored by committee chair, Charles Davis, were re-referred to the Finance Committee. S.F. 552 mandates that the commissioner of agriculture must investigate the use of out-of-state agriculture commodities by franchised food chains and restaurant establishments. According to Bertram, the fast food chains operating in Minnesota do not know where their agriculture products are grown or where they are coming from. The measure also requires Minnesota agencies to give preference to the lowest responsible bidder for contracts that provide food products grown in this state over bidders that provide food products grown and raised outside the state. Additionally, the bill requires Minnesota suppliers of agricultural products to make a reasonable attempt to identify and purchase food products grown in Minnesota.

S.F. 2327 appropriates money for sustainable agriculture. The fiscal notes include \$675,000 to establish an endowment for a chair in sustainable agriculture at the University of Minnesota; \$2.7 million for an endowment for a sustainable agriculture center at the University of Minnesota; \$455,000 for an endowment for extension programs and public education on sustainable agriculture; \$2 million to establish a revolving loan account for low-interest loans available to farmers adopting sustainable agriculture practices; and \$500,000 for grants to farmers for sustainable agriculture demonstration projects.

S.F. 1851, sponsored by Sen. David Frederickson (DFL-Murdock), provides for emergency telephone use and service at tank farms. S.F. 1984, sponsored by Sen. Sam Solon (DFL-Duluth), regulates veterinary drug distribution. S.F. 2406, sponsored by Sen. Steven Morse, (DFL-Dakota) repeals a 1984 Minnesota Statute and thereby allows milk to be priced by protein content, not by fat content. All three measures were approved and forwarded to the Senate floor.

S.F. 2326, sponsored by Davis, was defeated by the committee. The measure authorizes the creation of additional seed certification agencies.

### Soybean ink okayed

Studying the feasibility of soybean oil ink was discussed at the Agriculture Committee meeting, chaired by Sen. Charles Davis, Mon., Mar. 14. S.F. 2371, sponsored by Sen. Jim Vickerman (DFL-Tracy), requires a study on the feasibility of using ink with a soybean oil base for printing. The bill was approved and re-referred to the Finance Committee.

S.F. 655 and S.F. 2249, sponsored by Davis, were also re-referred to the Finance Committee. S.F. 655 establishes a Minnesota dairy task force to promote the profitability of dairy farms and products. S.F. 2249 restores the safety program specialist position at the University of Minnesota Extension Service.

S.F. 2255, authored by Vickerman, was sent to the floor. The measure changes the procedure for additional payments to persons who sold farms under the Family Farm Security Program. The bill requires additional payments for all years be in the amount of tax paid for which the seller would not have otherwise paid if the tax exemption were still in effect.

### Purple loosestrife bills gain

In addition to the emission control bill, other committee action included the approval of four additional bills.

S.F. 2041 and S.F. 2042, both sponsored by Sen. Earl Reneke (IR-LeSueur), address the eradication and control of purple loosestrife. S.F. 2041 authorizes the DNR to eliminate the noxious weed, purple loosestrife, on public waters and wetlands located on private lands up to high water levels. However, the bill was amended to exclude permission of the DNR to enter private property for the purpose of eradicating and controlling the noxious weed. The bill also specifies that the DNR is not responsible for the eradication and control to the noxious weed on federal lands. S.F. 2042 appropriates

money for purple loosestrife eradication grants to land owners. Both bills were re-referred to the Finance Committee.

S.F. 2354, authored by Sen. LeRoy Stumpf (DFL-Plummer), allows anhydrous ammonia to be sold at the retail level to any buyer using a temperature correctable liquid meter. The measure was sent to the floor.

S.F. 1996, relating to limited partnerships, was discussed during a late evening meeting Wed., Mar. 16. The measure, sponsored by Davis, was approved and sent to the Senate floor.

## Commerce

### Franchise bill approved

The Commerce Committee, Tues., Mar. 15, approved a bill expanding the definition of franchise to include oral or written agreements between manufacturers and dealers when the contracts include regular royalty or residual payments. S.F. 2343, sponsored by committee chair Sen. Sam Solon (DFL-Duluth), makes specific reference to burglar alarm manufacturer-distributor agreements that have been in existence for at least five years. According to the bill, manufacturers of burglar alarms may not establish any business in the state that competes with a distributor within ten years of giving notice of intent.

Three other bills were also approved and forwarded to the Senate floor. S.F. 2096 (Schmitz) regulates wholesale sales of agricultural equipment and S.F. 2384 (Schmitz) increases the repurchase amounts for farm implement repair parts from 80 percent to 85 percent. S.F. 1469 (Pogemiller) makes changes in regulations for barber schools.

The committee laid over a bill, S.F. 2489 (Metzen), which regulates real estate closing services.

### Home furnace bills heard

Two bills relating to home furnace issues were heard in the Wed., Mar. 16 Commerce Committee meeting.

S.F. 1924, sponsored by Sen. William Luther (DFL-Brooklyn Park), makes modifications to implied warranties for home heating furnaces unenforceable. Under current law, modifications or exclusions to implied warranties are allowed. The committee planned to take the bill up again Thurs., Mar. 17.

The committee, chaired by Sen. Sam Solon (DFL-Duluth) also laid over a bill, H.F. 1805, authored by Sen. John Marty (DFL-Roseville), requiring furnace inspectors or furnace repairers to provide written notice that some furnaces may emit poisonous gases into the air.

### Omnibus insurance bill laid over

The Commerce Committee, Thurs., Mar. 17, voted 10 to 6 to lay over a comprehensive insurance bill that had grown from 20 pages to 61 over the past few weeks of the session. Facing a deadline and with just under three hours of time to review the bill, a majority of the members believed it would be impossible to give the entire measure a thorough hearing.

Sen. Darril Wegscheid (DFL-Apple Valley), who made the motion to lay the bill on the table, said individual bills addressing the various provisions of the measure would have been preferable. He also criticized the Dept. of Commerce for coming back year after year with "omnibus" bills.

Sen. William Luther (DFL-Brooklyn Park), sponsor of S.F. 1845, had met with members of the Subcommittee on Insurance, which he chairs, Mar. 14, Mar. 15 and Mar. 16 to work on the bill. The bill was passed out of the subcommittee Mar. 16.

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), did approve S.F. 2382 (Peterson, R.W.) clarifying the procedures and fees connected with the Uniform Commercial Code and computerized filing system initiated by the Legislature last year. The measure was re-referred to the Finance Committee.

The panel voted to reconsider S.F. 2489 (Metzen), a bill that regulates real estate closing services. The bill was scheduled to be heard Fri., Mar. 18. Members heard but took no action on S.F. 1924, authored by Luther, making implied warranties that have been modified unenforceable.

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## Economic Development and Housing

### Bills move forward

The Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), worked diligently, Thurs., Mar. 10, to address bills on the agenda. Six bills were approved and two bills were laid over.

S.F. 1297, sponsored by Sen. David Frederickson (DFL-Murdock), authorizes the city of Redwood Falls to establish a port authority. S.F. 1971, carried by Sen. Fritz Knaak (IR-White Bear Lake), authorizes White Bear township to establish an economic development authority (EDA). Sen. John Bernhagen (IR-Hutchinson) offered an amendment to the measure that was adopted. The amendment restricts establishments of EDAs within townships to only those townships exercising urban powers. S.F. 2380, authored by Sen. Robert Schmitz (DFL-Jordan), authorizes the city of Chanhassen to receive tax increments through 1993 for a tax increment financing district within Chanhassen. All three bills were re-referred to the Committee on Taxes and Tax Laws.

S.F. 2170, authored by Sen. Carl Kroening (DFL-Mpls.), S.F. 2370, authored by Sen. Ronald Dicklich (DFL-Hibbing), and S.F. 2192, authored by Frank, were sent to the floor. S.F. 2170 penalizes landlords for renting condemned property. Specifically, it provides for landlord liability to a tenant for an amount equal to actual damages and an amount equal to three times the amount of rent or a security deposit collected, plus costs and attorney fees, when condemned residential rental property is rented to a tenant. S.F. 2370 authorizes the expansion of a redevelopment tax increment financing district in Virginia, Minnesota. S.F. 2192 authorizes a municipality or redevelopment agency taking over a project that is in default to hold the operating licenses for the project in its own name if the municipality or the agency chooses to operate the project.

S.F. 2190, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), abolishing economic development authorities, and S.F. 1767, sponsored by Sen. Donna Peterson (DFL-Mpls.), permitting special service districts in Minneapolis, were laid over.

### Three bills laid over

Three bills were all laid over by the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), Mon., Mar., 14.

S.F. 1462, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), establishes the Minnesota Housing Trust Fund to address the housing needs of the low-income population in the state. The fund would be financed by assessing interest, at the highest passbook savings rate, on real estate trust accounts. Each real estate broker would be required to maintain a pooled interest-bearing trust account for client funds. The interest accrued on the pooled trust account, minus reasonable transaction costs, is paid to the state treasurer for deposit in the housing trust fund account, unless otherwise specified by the parties. Ninety-five percent of the interest accrued on the pooled trust accounts would be transferred to the housing trust fund to provide loans or grants for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing. The remaining five percent would be transferred to the real estate research and recovery fund for real estate education.

S.F. 2345, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), removes the \$1 million limitation on small business development loans for revenue-producing business under the Minnesota Agricultural and Economic Development Program. The measure was amended by Sen. Steven Morse (DFL-Dakota) to require the Board of Agriculture and Development to reserve \$3 million for small business development loans.

S.F. 2405, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes the Greater Minnesota Corporation (GMC) to provide financial assistance to labor organizations and community groups and requires the regional research institutes established by the GMC to provide applied research and development services to labor organizations and community groups. It also requires the Enterprise Development Partnership Program, the Science and Technology

Resource Center, and the Customized Training Program to serve nonprofit organizations including labor organizations and community groups.

## Education

### Transit authority duties debated

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved S.F. 1940, authored by Sen. Sam Solon (DFL-Duluth), Wed., Mar. 16.

The bill excludes publicly owned transit buses operated by the Duluth Transit Authority (DTA) from the definition of "school bus," even when the buses are transporting students to or from school or school-related activities, either on fixed routes and schedules or under an agreement the school district.

In Duluth, Solon said, the board of education contracts with the (DTA) for transportation of certain students to and from school and school-related activities. However, a 1983 accident involving a student has led to questions of whether a DTA bus is a school bus or not.

Discussion centered around an amendment, offered by Sen. Randolph Peterson (DFL-Wyoming), which would apply the same "duty of care" standard to the transit authority buses that applies to an operator of a school bus when the DTA buses are transporting students to or from school or school-related activities.

Peterson said that he did not believe that the DTA should have a lower standard of care than other school bus providers. Solon spoke against the amendment, saying that its adoption would mean prohibitive liability insurance costs for the DTA. The amendment was not adopted.

The bill was referred to the full Senate.

## Employment

### Workers' comp bill reviewed

Employment Committee members devoted most of the Tues., Mar. 15, hearing to discussion of S.F. 2428, the workers' compensation reform bill. The measure, according to chief author Florian Chmielewski (DFL-Sturgeon Lake), "is a response to a crisis situation." Chmielewski said that the bill would result in a \$143 million savings for insurers and self-insurers in the workers' compensation system.

Changes in the bill include: converting existing benefit entitlements from two-thirds of pre-injury wage to 80 percent of the employee's after-tax weekly wage; changing the two-tier permanent partial system to a one-tier system; changing the maximum temporary total benefit to 110 percent of the statewide average weekly wage and changing the minimum benefit to 20 percent of the statewide average weekly wage; limiting the temporary partial benefits to when an employee is working and earning less and for a period not exceeding 90 days after maximum medical improvement; and changing the definition of permanent total disability to include only injured workers rated above 25 percent disabled who are unable to work.

In addition, the measure requires studies of medical costs, neutral doctors, litigation and the QRC system. The measure also moves the administrative costs from the special fund to the state general fund. Discussion on the bill, along with other workers' compensation reform bills, is scheduled to continue.

In other action, the panel approved two measures and sent the bills to the Senate Floor. S.F. 2054, authored by Sen. John Marty (DFL-Roseville), prohibits employers' reprisals against employees who decline to participate in charitable fund drives and provides civil remedies for employees whose employers do punish them for not taking part in charitable drives. S.F. 2235, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), requires employers to show good cause for asking injured employees to have a physical examination more than 150 miles away from the employees residence.

### Jobs program bills advance

Two bills creating jobs programs were approved and re-referred to the Finance Committee by members of the Employment

# Committee Capsule

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Committee, Thurs., Mar. 17. The first measure, S.F. 2496, authored by Sen. Tracy Beckman (DFL-Bricelyn), establishes demonstration projects to create housing for homeless people. The second bill, S.F. 2419, sponsored by Sen. Linda Berglin (DFL-Mpls.), provides planning grants for the design of youth employment programs targeted at young persons who are at risk of not completing their high school education.

In other action, committee members, chaired by Sen. Florian Chmielewski (DFL-Sturgeon Lake), heard testimony from injured workers about their experiences with the workers compensation system. In addition, the panel received S.F. 2540, a bill containing the Dept. of Labor and Industry's plan for overhauling the workers' compensation system. Both, S.F. 2540 and S.F. 2428, another major workers compensation plan, are scheduled for further discussion the week of Mar. 21.

## Environment and Natural Resources

### Abandoned well bills approved

Two bills establishing abandoned well programs were approved, Thurs., Mar. 10, by the Environment and Natural Resources Committee.

One of the bills, S.F. 2318, authored by Sen. Steven Morse (DFL-Dakota), provides for a cost-share program with the state paying 75 percent and well owners 25 percent to seal abandoned wells. The program is needed, Morse said, to prevent further degradation of groundwater through seepage of contaminants into the wells. Morse's bill provides for a survey of abandoned wells and technical assistance in dealing with the problem. It includes a \$4 million appropriation and was re-referred to the Finance Committee. The bill also recodifies all laws dealing with groundwater which are currently spread out among several chapters in the state statutes.

The second bill establishing an abandoned well program, S.F. 2417, sponsored by Sen. Charles Davis (DFL-Princeton), also authorizes state and land owner cost-sharing to seal abandoned wells. Under Davis' plan, landowners must apply for funds to cover their cost of sealing the wells through the local soil and water conservation district. S.F. 2417 was sent to the Senate floor.

The committee approved Sen. Gene Merriam's (DFL-Coon Rapids) bill, S.F. 2289, providing for a wholly or partially state-owned hazardous waste site stabilization and containment facility. The bill allows the Waste Management Board flexibility when negotiating contracts with site developers and provides for state participation in financing and managing the facility. Under the bill, the Waste Management Board is to report, by Jan. 15, 1988, on any agreements it has made with developers. The measure was referred to the Senate floor.

S.F. 2283 (DeCramer), appropriating \$13 million to the PCA for waste water treatment facility grants to municipalities, was re-referred to the Finance Committee.

Two other measures were approved and referred to the Senate floor. S.F. 2367 (Stumpf) eliminates a diversion of game and fish license fee money and S.F. 2079 (Lessard) regulates fish spearing on lakes located within Indian reservations.

Two bills were moved for placement on the Consent Calendar. S.F. 2410 (Wegscheid) authorizes the sale of tax-forfeited land to Farmington and S.F. 2238 (Stumpf) conveys a parcel of state land in Kittson County to a private individual.

### Amended waste recycling bill gains

An amended waste recycling measure was passed out of the Environmental Protection Subcommittee, Tues., Mar. 15, following almost 10 hours of hearings on the bill. The panel met Mon., Mar. 14 and twice on Tues., Mar. 15 to hear from the many proponents and opponents of the measure.

The amended bill, S.F. 1902, sponsored by Sen. John Marty (DFL-Roseville), requires plastic containers to carry labels stating what the containers are made of and directs county boards to provide opportunities for recycling by 1990. The bill was referred to the Environment and Natural Resources Committee.

The original bill called for a one-cent per package tax on all non-recycleable packages to encourage manufacturers to develop packages that are recyclable. It also contained a provision requiring deposits on containers.

The subcommittee is chaired by Sen. Greg Dahl (DFL-Coon Rapids).

### Omnibus hunting and fishing bill gains

A bill correcting 1986 provisions for the netting of ciscoes became the vehicle for an omnibus hunting bill in the Environment and Natural Resources Committee, Tues., Mar. 15.

H.F. 2265, carried by Sen. Charles Berg (DFL-Chokio), now contains provisions from Senate Files 1752, 1568, 1748, 1573, and 1691.

Items contained in the bill are new procedures for the publication of DNR commissioners' orders; the establishment of experimental fox hunting; the establishment of a crow hunting season; the placement of the same restrictions on the acquisition of fish for a fish hatchery from other states as are placed on fish in this state; authorization for people with private fish hatchery licenses to import minnows from outside the state; authorization for land owners to aerate adjacent public waters; authorization of an early fish opener in the southern part of the state; changes in the age requirement for turkey hunters and allowing disabled hunters to use crossbows; and authorization to use electric landing nets to temporarily immobilize fish. The bill was forwarded to the Senate floor.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls) also approved and sent to the floor S.F. 2199 (Stumpf) repealing a law describing the allowable height of deer stands; S.F. 2194 (Frederickson, D.J.) prohibiting the sale of products made of polyethylene which is nondegradable; H.F. 521 (Peterson, R.W.) prescribing requirements for lake improvement district meeting notices; and H.F. 1761 (Davis) allowing the sale of tax-forfeited land in Mille Lacs County.

### Park road account increased

A bill allowing state park road account funds to be applied toward lake access county road projects gained approval from the Environment and Natural Resources Committee, Wed., Mar. 16. In addition, the committee amended the bill, H.F. 1277, to increase the cap on the road account from the current \$600,000 to \$1.2 million. Under the bill, the DNR is responsible for choosing road projects to fund. Sen. David Frederickson (DFL-Murdock) sponsors the measure.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), also approved S.F. 2131, prohibiting the use of chloro-fluorocarbon-processed packaging materials, and re-referred it to the Finance Committee. The bill, authored by Sen. Greg Dahl (DFL-Coon Rapids), was amended to make only state and local governments abide by the use prohibition. S.F. 2256 (Peterson, R.W.), amending certain statutes administered by the Environmental Quality Board was approved and referred to the Senate floor.

The committee laid over S.F. 2316 (Marty), requiring anyone who plans to release genetically engineered organisms into the environment to notify the Dept. of Health at least 30 days prior to the release.

## Finance

### Capital budget requests reviewed

Robert Carothers, chancellor of the State University System informed the Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), Fri., Mar. 11, that the top three priorities of the State University System are the removal of hazardous materials—including asbestos and PCBs; the replacement of roofs; and the planning and construction of the Trafton Hall addition at Mankato State University. According to Carothers, there is a severe crowding problem at Mankato State, and the Trafton Hall addition would alleviate some of the space shortages by providing a new

home for the School of Science, Engineering, and Technology. The State University System is requesting \$5 million for the removal of hazardous materials, \$1.5 million for the replacement of roofs, and \$455,000 for the planning phase of the Trafton Hall addition.

### Budget forecast reduced

George Hoffman, from the Dept. of Human Services, informed the Health and Human Services Division of Finance, chaired by Sen. Don Samuelson (DFL-Brainerd), Mon., Mar. 14, that the forecast for family support and medical programs for fiscal year 1988-1989 has been reduced by \$28.9 million. Hoffman explained that this reduction accounts for a two percent decrease in the forecast for the biennium. Specifically, medical assistance projections have been reduced by \$16.4 million, with \$11.6 million resulting from reduced nursing home caseloads. General assistance and work readiness account for a reduction of \$5.8 million. Preadmission screening and alternate care grants account for a reduction of \$4.2 million, and general assistance medical care account for \$2.5 million. According to Hoffman, the total projection for the family support and medical programs now shows a biennial surplus of \$43.9 million—2.9 percent of state funds originally budgeted for the family support and medical programs.

Sen. Linda Berglin (DFL-Mpls.) presented her bill to the committee, following Hoffman's forecast update. According to Berglin, S.F. 1869 is a clean-up bill to the mental health legislation passed last session. The bill refines the Comprehensive Mental Health Act and transfers \$1.75 million from fiscal year 1988 to 1989. Samuelson offered an amendment to the bill, deleting the monetary transfer in the bill and adding a rider to transfer the funds. The amendment was adopted, and Samuelson informed the committee that S.F. 1869 will be incorporated into the omnibus bill.

Discussion of S.F. 747, authored by Sen. Randolph Peterson (DFL-Wyoming), followed Berglin's bill. S.F. 747 authorizes a system of state-operated, community-based residential programs for persons with mental retardation. It also requires that employees of regional treatment centers and state nursing homes be offered other positions prior to being laid off. The measure was approved and also incorporated into the omnibus bill.

### Wage protection bill discussed

S.F. 1093, sponsored by Sen. Florian Chmielewski, provides a wage protection program to assure employees who work for a company that goes bankrupt payment of wages for a maximum of four work weeks or \$2,000, whichever is less. The bill was debated by members of the State Departments Division, Mon., Mar. 14. According to Chmielewski, the fund would be a revolving account available to employees. It would be the state's responsibility to take action against the company to recover the wages, not the individual's responsibility. Oregon has similar legislation, said Chmielewski. The measure was laid over.

Three other measures were laid over by the panel, chaired by Sen. Carl Kroening (DFL-Mpls.), Mon., Mar. 14. S.F. 468, sponsored by Sen. Sam Solon (DFL-Duluth), provides a grant of \$200,000 for the establishment of an invention and innovation center. S.F. 1454, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), authorizes the Bureau of Small Business within the Dept. of Energy and Economic Development to engage in certain collaborative activities with small business development centers and appropriates \$500,000 from the general fund to the Dept. of Trade and Economic Development for the collaboration. S.F. 1591, sponsored by Kroening, authorizes the city of Minneapolis to issue \$3.5 million in general obligation bonds for the purpose of land acquisition for the Great River Road project.

Three bills were sent to the full Finance Committee. S.F. 821, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes compliance with federal tax laws to secure tax exemptions for certain bonds and other obligations. It also authorizes the issuance of taxable bonds and other obligations. S.F. 1218, sponsored by Sen. Gary Laidig (R-Stillwater), appropriates \$28,500 for preserving land surveys, which includes preparing, cataloging, and microfilming the documents. The original documents date back to the 1800's. S.F. 1618, sponsored by Sen. Joe Bertram (DFL-Paynesville), increases

the limit on bond indebtedness for the State Armory Building Commission.

### Como Park bonding bill heard

The State Departments Division of Finance heard and delayed action on six bills including the Como Park bonding bill, sponsored by Sen. Gene Waldorf (DFL-St. Paul), Tues., March 15. Waldorf is requesting \$15 million in bonding for improvements at Como Park. The measure, S.F. 2361, was laid over.

S.F. 1930, sponsored by Sen. Roger Moe (DFL-Erskine), was sent to the full committee. The bill establishes the twenty-seven member Minnesota Advisory Commission on Intergovernmental Relations. A fiscal note of \$100,000 is included in the bill.

### Budget hearings continue

Members of the Education Division met Tues, Mar. 15, and twice on Wed., Mar. 16, to continue their review of various post secondary institutional budgets. The panel, chaired by Sen. Gene Waldorf (DFL-St. Paul), heard from representatives of the University of Minnesota, the Technical Institutes and the Community College System.

## General Legislation and Public Gaming

### Governor's appointees confirmed

The General Legislation and Public Gaming Committee, Wed., Mar. 16, approved the gubernatorial appointments of Ludmilla Sahlstrom, David Lilly, Jr., and Karen Gray to the Minnesota Arts Board for four year terms. Jane Elsen, Rita Fassbinder, Louis Murray and Rozann Prich were confirmed for three year terms on the Charitable Gambling Control Board. The committee, chaired by Sen. Marilyn Lantry (DFL-St. Paul), delayed the confirmations of Minnesota Racing Commission members for a future meeting.

In other action, the committee laid over S.F. 2317, sponsored by Sen. Charels Davis (DFL-Princeton). The bill allows the Minnesota Humane Society to retain its name and continue to accept private donations. The Humane Society was dissolved by legislation enacted in 1987. Since then a federation of 22 county human societies have assumed the work of the Society.

## Governmental Operations

### Hospital bill approved

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved S.F. 2017, authored by Sen. Linda Berglin (DFL-Mpls.), during its morning meeting Thurs., Mar. 10. Before approval, the committee adopted a delete-everything amendment proposed by Sen. Darril Wegscheid (DFL-Apple Valley). Berglin did not oppose the amendment.

S.F. 2017 allows Gillette Children's Hospital to terminate its status as a public corporation and allows the board to incorporate as a nonprofit corporation. The bill also makes provisions for the hospital's employees and property.

### Committee moves five bills

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved five bills during its evening meeting Thurs., Mar. 10.

S.F. 2152, authored by Sen. Gene Waldorf (DFL-St. Paul), was approved with only an author's amendment added. The bill creates a University Center at Rochester to meet the higher education needs of people in the Rochester area. The amendment basically clarifies the status of employees of the center and outlines the board's abilities to acquire property.

The bill was re-referred to the Finance Committee.

In other action, members approved S.F. 489, authored by Moe. The bill changes the normal retirement age from 65 to 62 and changes the retirement annuity formula from one to one and one-half percent for eligible state employees. Although he bill would be very expensive, Moe said he believed it was sound policy. The bill was re-referred to the Finance Committee.

# Committee Capsule

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Also approved and re-referred to the Finance Committee was S.F. 1969, authored by Waldorf. The bill provides an individual retirement plan, similar to an IRA, for eligible community college and state university employees. All new eligible employees will be included in the plan after July 1, 1989.

The committee also approved, as amended, S.F. 2465, authored by Sen. William Luther (DFL-Brooklyn Park), and S.F. 1888, authored by Wegscheid. S.F. 2465 allows the Minnesota Amateur Sports Commission to set up nonprofit corporations and charitable foundations and exempts the commission from state agency fee setting procedure, among other things. S.F. 1888 extends the "prompt pay" requirement to include certain providers of services.

S.F. 1888 was sent to the full Senate. S.F. 2465 was re-referred to the Finance Committee.

## Advisory councils bill advanced

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved S.F. 2226, as amended, Tues., Mar. 15. The bill was sent to the full Senate.

S.F. 2226, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), as amended, extends the sunset date for many state advisory councils and committees to June 30, 1989. Under current law, many councils and committees are scheduled to expire June 30, 1988.

Before amendment, the bill would have extended the sunset dates for most groups to June 30, 1993, and also provided that the state agency funding the council or committee could authorize compensation of up to \$75 per day.

S.F. 2226 also repeals authority for some groups, including the Energy Policy Development Task Force, the Sign Franchise Advisory Committee, and the Minimum Wage Advisory Committee.

In other action, committee members approved S.F. 2452, authored by Sen. James Metzger (DFL-South St. Paul), which provides that members of a bomb disposal unit approved by the Commissioner of Public Safety are state employees, for purposes of tort claims and workers' compensation, when disposing of bombs outside of the jurisdiction of their municipal employer but within the state. The bill was referred to the Senate floor.

Also briefly discussed and laid over was S.F. 1987, pertaining to part-time employment, authored by Sen. John Marty (DFL-Roseville).

## Committee okays trust fund

S.F. 2000, the environmental trust fund bill, was approved, as amended, by the Governmental Operations Committee Wed., Mar. 16. The bill, authored by Sen. Roger Moe (DFL-Erskine), was re-referred to the Finance Committee.

S.F. 2000 contains a proposal to amend the Minnesota Constitution to create a state environment, natural resources, and wildlife trust fund. The question regarding the fund would be placed on the ballot in the fall general election.

An amendment, proposed by the author and approved by the committee, chaired by Sen. Donald Moe (DFL-St. Paul), deletes the name "Minnesota Future Resources Commission" and gives powers to administer the fund to the Legislative Commission on Minnesota Resources.

Committee members also approved, as amended, S.F. 1987, authored by Sen. John Marty (DFL-Roseville). After adoption of an author's amendment, the bill calls for the commissioner of employee relations to study the use of part-time employees in the executive branch work force. The bill was sent to the Senate floor.

H.F. 2039, as amended, also gained the committee's approval. The bill, carried by Sen. David Frederickson (DFL-Murdock), relates to the benefits and probationary period of county probation officers who are transferred to state employment.

S.F. 1864, authored by Sen. Jerome Hughes (DFL-Maplewood), regarding elevator inspection, was discussed and laid over.

## Two bills amended, advanced

S.F. 2059, the Dept. of Administration's housekeeping bill, was approved, as amended, by the Governmental Operations Committee during its morning meeting Thurs., Mar. 17. The bill,

authored by committee chair Sen. Donald Moe (DFL-St. Paul), was re-referred to the Finance Committee.

Discussion on the bill centered around two of a number of amendments offered and approved during the meeting. One amendment, moved by Sen. Darril Wegscheid (DFL-Apple Valley), eliminates some current restrictions on the composition of the community college system board and makes other modifications regarding the system. Another amendment, which was further amended during the meeting, provides for the commissioner of administration to sell the economic security building in Minneapolis in which the Dept. of Labor and Industry currently has offices.

The committee also approved S.F. 2185, authored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill basically reinstates the duties of the state treasurer that were abolished by the Legislature in 1985. S.F. 2185 was sent to the Senate floor.

The committee also discussed and rejected S.F. 970, authored by Sen. Michael Freeman (DFL-Richfield). The bill modified the definitions of terms and conditions of public employment and allowed for expanded payment of certain accumulated sick leave.

## Health and Human Services

### Pound seizure bill amended

The pound seizure bill, S.F. 308, authored by Sen. Gene Merriam (DFL-Coon Rapids), was significantly amended against the authors wishes during the Health and Human Services Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), Thurs., Mar. 10. The original draft of the bill permitted local units of government to decide whether to convey unclaimed, unidentified dogs and cats to research institutions after a five-day period. Sen. Duane Benson (IR-Lanesboro), offered the amendment to the bill that abolishes the local units authority to decide the fate of the animals, and mandate that pounds are to make available unredeemed, unidentified dogs and cats to research institutions on a state-wide basis. The bill was sent to the floor.

Two other measures moved out of the committee and were re-referred to the Finance Committee. S.F. 2187, sponsored by Sen. Don Samuelson (DFL-Brainerd), repeals the annual limit on hospital pass-through cost payments. It also codifies the five percent reduction in Medical Assistance provider reimbursement and repeals General Assistance Medical Care ratable reductions. S.F. 2463, sponsored by Berglin, clarifies the administration of human service programs. Additionally, the measure establishes a compliance system for certain public assistance programs and establishes a public assistance incentive fund.

### Child care bill advances

S.F. 1508, sponsored by Sen. Glen Taylor (IR-Mankato), was approved by the Health and Human Services Committee, Fri., Mar. 11, and re-referred to the Taxes and Tax Laws Committee. According to Taylor, S.F. 1508 is a cost effective approach to addressing the child care needs in the state. "Good child care is going is cost money and in the long-run this is cost effective," said Taylor.

The bill clarifies that the commissioner of administration is required to contract with a private day care center to provide child care for state employees and to provide rental space in the capitol complex for the center. In addition, the measure requires one unannounced inspection each year of all licensed day care facilities; creates an Office of Child Care Providers in the Dept. of Human Services and sets up a toll-free number in the office to provide information to day care providers; requires the commissioner of human services to distribute money to counties to reduce the backlog in day care licensing applications; expands sliding fee scale day care program eligibility; assists employers in establishing and operating day care facilities through an income tax credit; creates an income tax credit for day care providers seeking education directly related to day care services; and creates an income tax credit for the costs of subsidizing individual employee's day care costs.

Five other measures were approved by the committee, chaired by Sen. Linda Berglin (DFL-Mpls.). S.F. 2106, sponsored by Sen.

Michael Freeman (DFL-Richfield), changes the economic factor in the funding formula for vocational rehabilitation facilities. Fifteen percent of extended employment funds will be allocated based on economic conditions, 34.5 percent on measured performance, and 50.5 percent on the basis of full-time equivalent hours of work produced. S.F. 1658, sponsored by Sen. Don Samuelson (DFL-Brainerd), establishes rates for small hospitals and requires periodic interim payments to hospitals. S.F. 1757, sponsored by Berglin, establishes grants for community initiatives to promote the healthy development of children who are living in poverty. S.F. 2103, also sponsored by Berglin, "puts teeth into the minority child heritage protection act," according to the Council on Black Minnesotans. The measure improves the recruitment of minority adoptive and foster care families, requires training of adoptive and foster care families and workers, and creates an advisory task force on minority child welfare. The measure also requires minority councils to review the placement data. All four bills were approved and re-referred to the Committee on Finance.

S.F. 2245, sponsored by Berglin, limits reporting requirements for epidemiologic studies and provides grants for AIDS evaluation and counseling. The measure was forwarded directly to the Senate floor.

### **Omnibus nursing home bill advances**

The Health and Human Services Committee moved three bills out of the committee including the omnibus nursing home bill, authored by committee chair, Linda Berglin. The measure, S.F. 1975 includes: increasing the nursing home resident personal allowance; changing nursing home property-related costs and operating costs provisions; authorizing the Housing Finance Agency to make loans to nursing homes; establishing summer temperature and humidity requirements for new nursing homes; and requiring a study of air conditioning and ventilation in existing nursing homes. The bill also includes Sen. William Luther's (DFL-Brooklyn Park) bill on nursing home rate appeals. The new wording of the bill includes an expedited review process of appeals and payment of attorney's fees if the appeal was "unsubstantially justified." The language is a compromise between the Dept. of Human Services and the nursing home providers. The bill was sent to the floor.

S.F. 1928 and S.F. 1421 were also approved. S.F. 1928, authored by Sen. Steven Morse (DFL-Dakota) was re-referred to the Environment and Natural Resources Committee. The measure establishes a safe drinking water account as a special revenue account in the state treasury. The bill also prohibits the use of pipes and pipe fittings that contain more than eight percent lead from any plumbing installation which conveys a potable water supply.

S.F. 1421, sponsored by Sen. Sam Solon (DFL-Duluth), memorializes the United States Congress to amend the Employment Retirement Security Act to permit the direct regulation of self-insured health care plans. The measure was sent to the floor.

S.F. 2336, sponsored by Sen. Lawrence Pogemiller, was defeated in the committee. The measure appropriates \$4 million from the general fund to establish the Minnesota Institute for Addiction and Stress Research. Sen. Marilyn Lantry (DFL-St. Paul) vocally opposed the bill explaining that there is no new money for new programs.

### **Ten bills approved**

The Health and Human Services Committee, chaired by Sen. Linda Berglin, approved ten measures Wed., Mar. 16.

S.F. 1832, authored by Sen. Allan Spear (DFL-Mpls.), relates to child care. According to Spear, the heart of his bill rests in two provisions: establishing a grant program to develop child care services in the state's 12 developmental regions and establishing a grant program for employers who provide child care on or near the employment site.

S.F. 1870, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), establishes a demonstration project to increase the independence of people with epilepsy by providing training in independent living.

S.F. 2012, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes grants for additional semi-independent living services. The measure carries a \$1 million fiscal note.

S.F. 1853, sponsored by Sen. Sam Solon, allows prison inmates eligibility for general assistance medical care.

S.F. 2293 and S.F. 1935 are both authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). S.F. 2293 requires a study of the feasibility of reimbursing work activity programs through the medical assistance program. S.F. 1935 requires medical screening of former Conwed Corporation employees for asbestos-related diseases. All six bills were re-referred to the Finance Committee.

S.F. 2018 and S.F. 2273, sponsored by Berglin, were sent to the floor. S.F. 2018, authorizes a representative payee to receive general assistance payments on behalf of a chemically dependent person. According to Berglin, too many chemically dependent persons spend all of their general assistance money on drugs or alcohol. S.F. 2273 sets forth the goal of establishing a mission statement for the regional treatment centers in the continuum of mental health services.

S.F. 1463, authored by Sen. Gary DeCramer, was re-referred to the Governmental Operations Committee. The measure establishes a veterans outreach center in southwestern Minnesota. The center must offer, among other services, medical, home health, and nursing services on an out-patient basis.

S.F. 2506, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes parties, by mutual agreement, to waive the automatic income withholding allowance for child support as long as the obligor establishes and maintains an escrow account containing two months of child support payments.

## **Judiciary**

### **Discounting of future damages law repeal okayed**

The Judiciary Committee, chaired by Sen. Allan Spear (DFL-Mpls.), met twice Wed., Mar. 9. The morning hearing saw the approval of three bills and extensive discussion of two additional measures.

The evening portion of the hearing began by resuming the discussion of the bill altering the formula for discounting future damages. The amendment offered by Knaak failed to gain adoption. After further debate by groups representing plaintiffs and defendants, a motion was made to remove the Spear amendment altering the calculation for discounting future damage awards and return the bill to its original form. The original bill is a repeal of the law. The motion was adopted and the bill, repealing the law requiring the discounting of future damage awards was approved. The bill, S.F. 1675, authored by Spear, will be heard next by the full Senate.

An additional twelve bills were considered and acted upon by the committee. S.F. 2156, sponsored by Spear, redefines the word "crime" in the statutes governing the issuance of search warrants to include misdemeanor violations of municipal ordinances. Under current law, search warrants can only be issued for violations of state law; the bill allows the issuance of search warrants for violations of municipal ordinances with misdemeanor level penalties. S.F. 2321, also carried by Spear, proposes a constitutional amendment that provides for six-member juries. According to Spear, the bill is needed because of an anticipated decision by the Minnesota Supreme Court that will find that 12 person juries are a constitutional guarantee. And, because six person juries have been used since the passage of a 1971 law, Spear said that the court ruling could throw the judicial system into chaos. Spear also indicated that there was some urgency in passing the bill this session so that the question could be placed on the ballot for the 1988 general election. Otherwise, he said, no action could be taken until after the 1990 general election. Committee members re-referred the bill to the Rules and Administration Committee.

S.F. 30, authored by Sen. William Belanger (IR-Bloomington), requires health professionals to report burn injuries to the state fire marshal. According to Belanger, the bill is an attempt to aid in the detection of arson. S.F. 1628, sponsored by Sen. Linda Berglin (DFL Mpls.), revises and clarifies duties of the mental health ombudsman. The bill was heard by the Judiciary Committee because of data privacy provisions contained in the measure. As amended the ombudsman would not be required to obtain consent for access to private data on clients with mental retardation or a related condition and would have access to private and confidential data regarding

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services provided to mentally retarded clients. S.F. 1735, authored by Sen. Gene Merriam (DFL-Coon Rapids), provides for restitution for wild animals that are illegally killed or injured and provides for civil penalties. In addition, the bill authorizes the commissioner of natural resources to prescribe the value to the state, in dollars, of various species of wild animals. Funds generated under the bill are to be deposited in the Game and Fish fund.

S.F. 1790, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for payment to specific persons of up to \$3,000 for the benefit of an incapacitated person in cases where no conservator or guardian has been appointed. S.F. 1830, authored by Sen. Jim Ramstad (IR-Minnetonka), makes it a crime to enter into a contract to serve as the agent of a student athlete or represent a student athlete or professional sports organization in obtaining a professional sports contract with a student athlete before the expiration of the student athlete's collegiate eligibility unless the student executes a waiver of eligibility. In addition, the bill makes it a crime to offer anything of value to an employee of an educational institution in return for the employee's influence on a student athlete to enter into a contract with agents or professional sports contracts.

S.F. 1821, authored by Sen. Ember Reichgott (DFL-New Hope), provides for the civil forfeiture of a vehicle used to flee a peace officer and requires local governments to establish pursuit procedures and training requirements by Oct. 1, 1989. In addition, the measure authorizes the POST Board to assist local governments in developing procedures and training requirements and requires that all police pursuits be reported to the Dept. of Public Safety. S.F. 1937, sponsored by Sen. Michael Freeman (DFL-Richfield), makes numerous changes to the statutes regarding forfeiture of property used in the commission of a crime. The bill creates a presumption that money, precious metals, and jewels found near controlled substances and vehicles containing controlled substances are subject to forfeiture. The measure also eliminates the requirement that forfeiture actions be dismissed if no associated conviction results and provides that a conviction creates the presumption that after-acquired property constitutes forfeitable proceeds of the offense. Finally, the bill allocates the proceeds of forfeitures to law enforcement agencies and county attorneys.

S.F. 1769, sponsored by Reichgott, makes changes in the Human Rights Act. The bill adds a definition of marital status in employment cases to prohibit discrimination on the basis of the identity, situation, actions or beliefs of a spouse or former spouse; increases the maximum penalty for punitive damages from \$6,000 to \$25,000; and provides that in cases where the commissioner issues both probable cause and no probable cause determinations on separate issues, the charging party may request a hearing on all issues and may bring a private right of action for the no probable cause charges. S.F. 1944, sponsored by Sen. Tad Jude (DFL-Maple Grove), requires that out-patient and diagnostic records be maintained as part of a person's permanent medical record. S.F. 2278, authored by Sen. Richard Cohen (DFL-St. Paul), specifies property exempt from final process issued by a court and modifies the exemption for employee benefits.

## Tort immunity bills gain

Three bills dealing with tort immunity were considered, along with nine other measures, at the Thurs., Mar. 10, evening meeting of the committee.

S.F. 2451, authored by Sen. William Luther (DFL-Brooklyn Park), specifies that a public defender appointed by the State Board of Public Defense is an employee of the state for purposes of immunity. S.F. 2426, also sponsored by Luther, provides immunity from civil liability for volunteers serving state and local government. However, the immunity from civil liability does not apply to a cause of action based on the person's express contractual obligation or a cause of action for physical injury to a person or for wrongful death that was personally and directly caused by the individual. The measure also includes sections providing that employees and officers of the World Trade Center Board and the Greater Minnesota Corporation are state employees for purposes of immunity and

providing that officers and directors of public corporations are immune from liability under standards for nonprofit corporations. A portion of S.F. 2178, authored by Sen. Jim Ramstad (IR-Minnetonka), granting immunity to certain athletic coaches, managers, volunteers, and nonprofit athletic associations from claims of spectators, was amended into S.F. 2426. Both S.F. 2451 and S.F. 2426 were approved and forwarded to the full Senate.

Eight additional bills gained the panels approval and were sent to the Senate floor. S.F. 1762, authored by Sen. Dennis Frederickson (IR-Morgan), allows exemptions from execution to partnerships if the partners are spouses or other persons related within the third degree of kindred as defined by the rules of the civil law. S.F. 1879, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), specifies that a person who intentionally and without permission releases an animal confined for science, research, commerce, or education is guilty of a misdemeanor and is liable to the owner for damages and costs of restoring the animal to confinement.

S.F. 1921, authored by Sen. Linda Berglin (DFL-Mpls.), clarifies and modifies provisions relating to pension plan rights in marriage dissolutions. Much of the language in the bill is designed to clarify language enacted last year. However, portions of the measure contain language relating to private pensions found in federal law, and are included in the bill so that language relating to both public and private pensions would be located in the same sections. The bill was later amended into another Berglin bill, S.F. 2009, making numerous changes in laws relating to child support, custody, spousal maintenance, reopening judgments, medical support, termination of income withholding and grandparent visitation.

S.F. 2068, authored by Sen. Fritz Knaak (IR-White Bear Lake), specifies that the court may appoint more than one guardian or conservator for an incapacitated person. In addition, the bill provides that the fact that a proposed guardian or conservator does not live in Minnesota does not disqualify the person from appointment. S.F. 2266, sponsored by Sen. Richard Cohen (DFL-St. Paul), allows counties to establish pilot programs for the appointment of guardian ad litem to act as child intermediaries in criminal sexual conduct cases. Currently, guardian ad litem are only appointed in juvenile or family court cases.

S.F. 2402, sponsored by Sen. Randolph Peterson (DFL-Wyoming), conforms Minnesota's wiretap law to federal wiretap law and updates the wiretap law to conform with modern electronic communication technologies. S.F. 2425, sponsored by Luther, is primarily a housekeeping measure relating to creditors' remedies and clarifies laws regulating executions, redemptions, exemptions and garnishments. The bill also updates forms and standardizes procedures.

Panel members, chaired by Sen. Allan Spear (DFL-Mpls.), devoted considerable time to a final measure. S.F. 2222, authored by Berglin, changes the composition of the Board on Judicial Standards and provides that data maintained by the board, other than the identity of complainants, are public data. Committee members, responding to heavy opposition from the board, failed to grant approval to the measure.

## License plate impoundment gains

A bill providing for the mandatory surrender of license plates upon the third DWI conviction within five years was approved by the Judiciary Committee Fri., Mar. 11. S.F. 392, authored by Sen. Allan Spear (DFL-Mpls.), also requires the surrender of license plates upon the fourth DWI conviction within ten years. The measure, Spear said, is the result of work done by the DWI Task Force and emphasizes the importance lawmakers place on getting repeat DWI offenders off the highways. The bill also provides procedures for both judicial and administrative review and outlines conditions for the issuance of special plates under certain circumstances. The bill was re-referred to the Committee on Finance.

In other action, the panel approved nine additional bills. S.F. 1668, also sponsored by Spear, provides for civil penalties for theft. Under the bill, a person who steals property from another is civilly liable to the owner for the property's value plus punitive damages or

either \$50 or up to 100 percent of the value of the property, whichever is greater. In addition, the bill provides for the liability of parents or guardians; specifies that the filing of a criminal complaint, conviction or guilty pleas is not a prerequisite to civil liability; and that recovery of the stolen property does not affect liability. Finally, the bill contains a provision specifying that an individual who steals a shopping cart and refuses to surrender the cart is liable for the cost of the shopping cart.

H.F. 1773, sponsored by Sen. William Luther (DFL-Brooklyn Park), directs the revisor of statutes, rather than the secretary of state, to assign chapter numbers to enrolled bills and provides for showing the time of final enactment on the bills. S.F. 1934, also authored by Luther, adds "possession" to the prohibition on the sale and use of fireworks and alters the definition of fireworks in the statute to include a definition of "explosive fireworks." The bill increases penalties for the sale, possession and use of fireworks according to the amount of explosive fireworks. Under the bill, if the violation involves explosive fireworks in an amount of 50 pounds of gross container weight or more, the penalty is a felony with up to three years imprisonment or a fine of up to \$5,000 or both. The bill was amended to include language that is designed to clarify the crime of obstructing legal process or arrest. A third bill sponsored by Luther, S.F. 2394, sets the effective date of the uniform statutory rule against perpetuities. S.F. 2394 was referred to the Senate Consent Calendar.

S.F. 1972, authored by Sen. Sam Solon (DFL-Duluth), requires equal access to housing accommodations for persons using a service dog. H.F. 1659, carried by Sen. Jim Gustafson (IR-Duluth), authorizes town boards to form law enforcement agencies, abolishes the office of constable and authorizes the POST Board to issue peace officer licenses to persons possessing constable licenses. S.F. 2400, authored by Sen. John Marty (DFL-Roseville), repeals an unconstitutional prohibition on the sale of contraceptives. The measure was recommended for the Senate Consent Calendar.

S.F. 2279, authored by Sen. Richard Cohen (DFL-St. Paul), prescribes when a referee's orders become effective. S.F. 2395, also carried by Cohen, requires a notice of meetings or elections to inform members of nonprofit corporations whether proxy voting is permitted and the manner of doing so, provides that proxies are prohibited unless authorized by the articles or bylaws of a nonprofit corporation and specifies that if the articles or by-laws permit a specified percentage of members to call a meeting of the board of directors or the membership, the corporation must provide any voting member, within ten days of a request, a statement showing the number of members required to call the meeting.

### **Hate crime reporting bill okayed**

A bill requiring law enforcement agencies to report crimes motivated by bias against the victim's race, religion, national origin, sex, age, disability or characteristics identified as sexual orientation was approved by members of the Judiciary Committee, Mon., Mar. 14. The bill, S.F. 2124, sponsored by Committee Chair Allan Spear (DFL-Mpls.), also requires that the Peace Officer Standard and Training Board prepare a training course to assist peace officers in identifying and responding to hate crimes and requires that individuals must receive training before being licensed as peace officers. The bill was forwarded to the Senate floor.

Panel members also began discussion of three bills making changes in the corporate takeover laws. S.F. 1892, sponsored by Sen. Ember Reichgott (DFL-New Hope), makes numerous technical changes in the corporate takeover law. S.F. 2329, sponsored by Sen. William Luther (DFL-Brooklyn Park), applies the control share acquisition and business combination provisions of state law to certain issuing public corporations. S.F. 2493, also carried by Luther, regulates compensation agreements of publicly held corporations and makes other alterations to the corporate takeover laws. All three bills were laid over for further discussion.

### **Ban on surrogate mother agreements laid over**

Members of the Judiciary Committee devoted most of the Wed., Mar. 16, morning hearing to discussing a bill prohibiting surrogate

mother agreements. S.F. 1660, authored by Sen. John Brandl (DFL-Mpls.), specifies that surrogate mother agreements are void and unenforceable. Further, the bill specifies a gross misdemeanor penalty for a parent who knowingly receives compensation for consent to the adoption of a child, for termination of parental rights or for authorizing placement of the child for adoption.

Brandl argued that the bill protects the welfare of the child and prohibits the use of children as "commodities." Other supporters of the bill argued that surrogate mother agreements "exploit a vulnerable part of society" and are tantamount to baby selling.

Opponents of the measure urged the committee to delay action on the measure. Opponents argued that the bill could cause difficulties when step parents seek to adopt their spouses' children and that the penalties in the bill would apply to cases other than surrogate mothers. In addition, opponents urged that more time is needed to study all of the ramifications of the issue.

A motion, by Sen. Jim Ramstad (IR-Minnetonka), that the bill lie over was approved by the committee.

In other action, panel members endorsed one measure and began discussion on another. The bill gaining approval, S.F. 2207, authored by Sen. Linda Berglin (DFL-Mpls.), makes changes in the procedure for disclosing assets in marriage dissolution proceedings. The bill was advanced to the full Senate. Panel members began discussion on S.F. 2275, authored by Sen. Richard Cohen (DFL-St. Paul). The bill makes a number of modifications in the juvenile code. The bill was laid over because of time constraints.

## **Local and Urban Government**

### **Ramsey courthouse bill gains**

A bill authorizing the sale of bonds for the modernization of the Ramsey County Courthouse and St. Paul City Hall building gained the approval of the Local and Urban Government Committee, Thurs., Mar. 10, and was re-referred to the Committee on Taxes and Tax Laws. The bill, S.F. 2411, is authored by Sen. Don Moe (DFL-St. Paul).

In other action, the panel, chaired by Sen. Robert Schmitz (DFL-Jordan), also approved four additional bills. S.F. 2259, authored by Sen. Douglas Johnson (DFL-Cook), provides for the establishment of a hospital district in portions of Koochiching and St. Louis Counties including the city of Cook and other unorganized townships. The measure was re-referred to the Committee on Taxes and Tax Laws. S.F. 2355, sponsored by Sen. William Belanger (IR-Bloomington), authorizes the city of Bloomington to expend and loan public funds for flood mitigation measures to protect residential structures. S.F. 2308, authored by Sen. Darril Wegscheid (DFL-Apple Valley), repeals the requirement for installation of aircraft noise suppression equipment at the Minneapolis-St. Paul International Airport. S.F. 2149, authored by Sen. Tracy Beckman (DFL-Bricelyn) increases the maximum amount of capital notes home rule charter cities may issue for capital equipment. The bill was also re-referred to the Taxes and Tax Laws Committee.

### **St. Louis County bill gains**

A bill making numerous changes in the statutes relating to St. Louis County gained the approval of the Local and Urban Government Mon., Mar. 14. The bill removes obsolete and outdated language describing St. Louis County in the laws of Minnesota. In addition, S.F. 2299, sponsored by Sen. Sam Solon (DFL-Duluth), also raises the amount of the contingent fund from \$1,000 to \$5,000; provides for an increase in staff for the county administrator; and raises the limit, from \$1500 to \$75,000, which may be spent for recreational facilities.

In addition, the panel, chaired by Sen. Robert Schmitz (DFL-Jordan), recommended two bills for the Consent Calendar. H.F. 1766, sponsored by Sen. Douglas Johnson (DFL-Cook), clarifies the powers of towns to impose a lodging tax. H.F. 1926, carried by Sen. LeRoy Stumpf (DFL-Plummer), permits political subdivisions to authorize emergency aid under certain conditions.

## Public Utilities and Energy

### Cable TV. law changes okayed

The Public Utilities and Energy Committee met Tues., Mar. 15, and approved a bill making changes to the laws regulating cable television. S.F. 2244, authored by Committee Chair Ronald Dicklich (DFL-Hibbing), requires cities to grant new franchises on the same terms as original franchises were granted and prohibits utilities with cable television subsidiaries from giving unfair preference to the subsidiary. A provision that changes the maximum number of subscribers, from 1,000 to 2,000, that a cable system may have and still be exempt from state regulation was amended out of the bill. The current maximum of 1,000 subscribers is retained under the bill. The measure was forwarded to the full Senate.

## Taxes and Tax Laws

### County bonding bill gains

A bill allowing county boards to issue capital improvement bonds without prior voter approval gained the support of the Property Taxes and Local Government Aids Division, Fri., Mar. 11. The division referred the bill, S.F. 1877, sponsored by division chair Sen. Steven Novak (DFL-New Brighton) to the Taxes and Tax Laws Committee. According to the bill, the county board must place the question of issuing the bonds only if five percent of voters sign a petition requesting the vote. The bill further provides for adoption of capital improvement plans by county boards.

Also referred to the Taxes and Tax Laws Committee was S.F. 2385 (Novak) making technical and administrative changes within the property tax system.

Prior to approving the two bills, the division heard a proposal to overhaul the property tax system. Provisions of the bill, S.F. 1957, carried by Sen. John Brandl (DFL-Mpls.), were developed by the Coalition of Greater Minnesota Cities and are supported by the mayors of St. Paul and Minneapolis. Brandl said the plan will equalize the ability to provide services across the state, will further reduce the number of property tax classifications and will standardize mill levies at \$73 per household no matter where the household is located in the state. Brandl said the plan calls for more state spending; the state will provide assistance to those local governments that cannot raise through levies the funding level required to support adequate services.

Winona Mayor Earl Laufenburger, Minneapolis Mayor Don Fraser, St. Paul Mayor George Latimer and Minneapolis City Council member Steve Cramer spoke in support of the plan.

Novak said the division is working on its own comprehensive property tax plan and that it will be ready Mon., Mar. 21.

### Three bills referred

In a brief meeting, Mon., Mar. 14, the Property Taxes and Local Government Aids Division approved three bills and referred them to the Taxes and Tax Laws Committee. The three bills were S.F. 1771 (Reichgott) amending the levy limits of cities and counties not complying with pay equity; S.F. 2411 (Moe, D.M.) pertaining to the Ramsey County Courthouse; and S.F. 2259 (Johnson, D.J.) pertaining to the St. Louis Hospital District.

Sen. Steven Novak (DFL-New Brighton) chairs the division.

### Changes in sales tax rules supported

A bill making changes in the sales tax provisions implemented last year was approved, Tues., Mar. 15, by the Sales Tax Division and was referred to the Taxes and Tax Laws Committee.

S.F. 2161, sponsored by division chair Sen. LeRoy Stumpf (DFL-Plummer), contains five articles relating to cigarette, liquor, pull-tab sales, gross earnings, deed, insurance and controlled substance taxes.

The division set aside S.F. 88, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake). The bill would exclude state fair gate receipts from the sales tax. The fair board would apply the

savings to capital improvements projects. Panel members suggested instead that the fair officials consider bonding for the funds needed to improve buildings on the fairgrounds.

The division heard testimony on the result of extending the sales tax to purchases by hospitals and higher education institutions. Sen. Douglas Johnson (DFL-Cook) said that the Legislature may repeal the sales tax extension on those institutions this session.

## Transportation

### Wheelage tax added to bill

The Transportation Committee, Tues., Mar. 18, approved imposition of a \$12 wheelage tax on most passenger vehicles registered in the seven-county metro area. Funds generated from the tax would be applied to county road projects. The tax was placed on S.F. 1590, authored by Sen. Jim Vickerman (DFL-Tracy), a Minnesota Dept. of Transportation administrative bill, by an amendment offered by Sen. James Metzen (DFL-South St. Paul). Metropolitan area Senators Marilyn Lantry (DFL-St. Paul) and Phyllis McQuaid (IR-St. Louis Park) opposed the measure. Lantry said if the wheelage tax and the emission inspection bill heard in the committee earlier in the week are both approved by the Legislature, motorists in the metropolitan area will be paying an extra \$22 whenever they renew their auto registrations. The measure was re-referred to the Taxes and Tax Laws Committee.

The committee, chaired by Sen. Clarence Purfeerst (DFL-Faribault), also approved S.F. 1517 (McQuaid), a measure authorizing the Hennepin County Sheriff's Dept. to receive three-eighths of each fine in motor vehicle overweight violation cases. The remaining five-eighths will be referred to the highway user tax distribution fund. Language making the bill applicable to all counties was amended out and the Hennepin County provision was inserted. The bill was forwarded to the Senate floor.

S.F. 1827, sponsored by Sen. Keith Langseth (DFL-Glyndon), re-directing the \$13 fee for fuel tax applications to the highway user tax distribution fund, was also approved and sent to the Senate floor. Currently, the collected fees, representing approximately \$26,000 a year, are turned over to the general fund.

Sen. Charles Davis' (DFL-Princeton) bill S.F. 1886, authorizing local governments in Greater Minnesota to issue bonds to establish a fund for highway rights-of-way projects, was also approved. The bill allows local governments in Greater Minnesota to take advantage of the same rights already exercised by metropolitan area governments. The measure was re-referred to the Finance Committee.

Two bills were referred for placement on the Consent Calendar. H.F. 1816 (Frank) extends the requirement that child restraint seats be used when transporting children in rental vehicles. H.F. 2056 (Spear) corrects the name on a deed issued to the Basilica of St. Mary in Minneapolis.

The committee voted against passage of a bill, S.F. 2230 (Piper), allowing the use of an alternate slow moving vehicle sign.

### Seven bills okayed

A measure allowing the placement of signs that inform the traveling public of the location of rural agricultural businesses and churches gained the Transportation Committee's approval, Thurs., Mar. 17. The bill, H.F. 1736, was carried by Sen. Joe Bertram (DFL-Paynesville).

Four other measures were also approved and forwarded to the Senate floor. S.F. 1336 (Samuelson) prohibits the transporting of firewood on highways unless it is secured in order to prevent dropping the wood. S.F. 1060 (DeCramer) clarifies the requirements for brakes on towed vehicles and contains an amendment allowing physically handicapped people to operate all-terrain vehicles on roads. S.F. 1804 (Frank) describes registration procedures of motor vehicles by long-term leasees and imposes a \$1 fee for late transfers of motor vehicle titles. S.F. 2344 (Beckman) designate I-90 the AMVET Memorial Highway.

A bill increasing the fee for two-wheel vehicle endorsements on driver's licenses from \$6 to \$9 was approved and re-referred to the Finance Committee. S.F. 2221 (DeCramer) also raises the maximum

amount that may be credited to the motorcycle safety fund from \$300,000 to \$500,000.

S.F. 1948 (Dicklich), allowing a stepparent to approve a minor's driver's license application, was approved and referred for placement on the Consent Calendar.

## Veterans

### Two resolutions approved

The Veterans Committee, chaired by Sen. Joe Bertram, Sr., (DFL-Paynesville), approved S.F. 2272 and S.F. 2239, both resolutions, Thurs., Mar. 10.

S.F. 2272, authored by Sen. James Pehler (DFL-St. Cloud), calls upon Congress to investigate claims of veterans exposed to Agent Orange, provide compensation based on available data, initiate hearings regarding the cancellation of Agent Orange studies, and

provide funding for the continuation of those studies, among other things.

S.F. 2239, authored by Sen. Dean Johnson (R-Willmar), calls upon the heads of federal departments and agencies to make public the records concerning reported live sitings of American military personnel classified as POWs or MIAs in Southeast Asia.

Both measures were re-referred to the Rules and Administration Committee.

In other action, Senators approved S.F. 1833, authored by Bertram, allowing certain county boards to levy a tax to defray the cost of a veterans service officer; S.F. 2172, authored by Sen. James Metzen (DFL-South St. Paul), appropriating money to the Commissioner of Veterans Affairs for grave markers; and S.F. 2092, authored by Sen. Don Samuelson (DFL-Brainerd), regarding a state veterans cemetery.

S.F. 2172 and S.F. 2092 were re-referred to the Finance Committee. S.F. 1833 was re-referred to the Taxes and Tax Laws Committee.

# Preview

## The Minnesota Senate Week at a Glance

### Monday, March 21, 1988

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

9:00 AM Room 112 Capitol

**Agenda:** Budget allocations for DOT; Public Safety; RTB; Charitable Gambling Board; Soil and Water Board; and Humanities Commission. S.F. 213-Bertram: Military Order of the Purple Heart.

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

9:00 AM Room 123 Capitol

**Agenda:** Complete allocations: S.F. 151-Bertram: Tuition exemption at TT's, veterans; S.F. 350-Pehler: State University Board, women's athletics; S.F. 775-Marty: Model programs for adult education; S.F. 839-Pehler: Add members, ACF task force; S.F. 1860-DeCramer: Library resources at TT's; S.F. 1986-Merriam: Capital improvements at Anoka-Ramsey Community College; S.F. 2036-DeCramer: Southwest and St. Cloud State History Centers. S.F. 2093-Morse: Eliminating cap on state university student health fee; S.F. 2397-Morse: State University Board, payment of revenue bonds; S.F. 2377-Reichgott: Funding child care at community colleges; S.F. 1702-Pehler: Optical fiber telecommunications; S.F. 1583-Berglin: State services for the blind, vendors; S.F. 2152-Waldorf: Establishing university center at Rochester; and S.F. 444-Waldorf: Establishing advance task force to review state governance of TT's and merging community colleges with TT's.

**Taxes and Tax Laws Subcommittee on Economic Development**, Chair: Ember Reichgott

9:00 AM Room 15 Capitol

**Agenda:** Tax increment bills.

**Conference Committee**

10:00 AM Room 107 Capitol

**Agenda:** S.F. 1575/H.F. 1841-Berg: Trout and salmon stamp requirement exemption clarification.

Senate will be in session at 12:00 PM

### Tuesday, March 22, 1988

**Employment Committee**, Chair: Florian Chmielewski

8:00 AM Room 107 Capitol

**Agenda:** S.F. 2540-Chmielewski: Department of Labor and Industry workers compensation bill.

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

9:00 AM Room 125 Capitol

**Agenda:** Continuation of 3/21 agenda.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson

9:00 AM Room 15 Capitol

**Agenda:** H.F. 1704/S.F. 1554-Johnson, D.J.: Property tax refund. S.F. 2095-Peterson, R.W.: Education aids. H.F. 1749/S.F. 1592-Purfeerst: Highway funding.

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

10:00 AM Room 123 Capitol

**Agenda:** Allocations.

Senate will be in session at 12:00 PM

### Wednesday, March 23, 1988

**Education Committee**, Chair: James Pehler

8:30 AM Room 107 Capitol

**Agenda:** Confirmations for members of the Minnesota School and Resource Center for the Arts; Minnesota Higher Education Facilities Authority; State University Board; State Board for Community Colleges; State Board of Vocational Technical Education; Board of Education; and Minnesota Higher Education Coordinating Board. S.F. 1571-Laidig: Punishment in schools; civil liability.

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

9:00 AM Room 125 Capitol

**Agenda:** Continuation of 3/22 agenda.

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson

9:00 AM Room 15 Capitol

**Agenda:** H.F. 1851-Vickerman: Township bill. S.F. 1877-Novak: General bonding. S.F. 22-Chmielewski: Historical Society levy. S.F. 479-Solon: Duluth capital equipment bonding. H.F. 1156-Berg: Traverse County Fair. H.F. 1302-Lessard: Itasca County economic development. H.F. 1459-Samuels: Irondale levy. H.F. 289-Lantry: St. Paul capital improvement bonds. H.F. 1864-Schmitz: Jordan tax anticipation certificates. S.F. 1706-Pehler: Land transfers. S.F. 1771-Reichgott: Pay equity. S.F. 1756-Johnson, D.J.: Trigger tax. S.F. 2411-Moe, D.M.: St. Paul/Ramsey County Courthouse. S.F. 2259-Johnson, D.J.: Cook Hospital district. Bills referred from Subcommittee.

Senate will be in session at 12:00 PM

**Thursday, March 24, 1988**

**Taxes and Tax Laws Committee**, Chair: Douglas Johnson  
9:00 AM Room 15 Capitol

**Agenda:** Bills referred from Economic Development Subcommittee.

Senate will be in session at 12:00 PM

**Friday, March 25, 1988**

Senate will be in session at 12:00 PM

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**Finance Committee Agriculture/Transportation and Semi-States Division**, Chair: Keith Langseth  
10:00 AM Room 123 Capitol  
**Agenda:** Final action on omnibus bill.

## 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.

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# Briefly

## The Minnesota Senate Week in Review

March 25, 1988

### Highway funding bill approved

A highway funding package that incorporates a three cent gas tax increase and a \$71.5 million general fund appropriation was approved on a 13 to 12 roll call vote by the Taxes and Tax Laws Committee, Wednesday, March 23. The gas tax increase is expected to raise \$61 million. The bill, H.F. 1749, also initiates an annual adjustment of the tax on gasoline based on a highway maintenance cost and fuel usage indexing formula; imposes an annual compressed natural gas user fee; increases the cost of dealer vehicle plates from \$15 to \$30 and increases the revenue raised from license tab fees by approximately \$19 million by slowing down the rate at which the fees are lowered.

The bill approved on Wednesday was a delete-everything amendment offered by Sen. LeRoy Stumpf (DFL-Plummer). The bill, carried by Sen. Clarence Purfeerst (DFL-Faribault), has gone through several changes since it left the Transportation Committee which he chairs. Purfeerst's bill originally called for a transfer of 35 percent of Motor Vehicle Excise Tax (MVET) funds and a three cent per gallon gasoline tax increase to fund highway projects and transit programs. The MVET transfer was replaced with the \$71 million general fund appropriation in the Finance Committee earlier in the session. On Tuesday, March 22, the Taxes and Tax Laws Committee, chaired by Sen. Douglas Johnson (DFL-Cook), approved the fuel indexing, natural gas, dealer plates and license tab amendments but the bill failed on a 9 to 16 roll call vote.

Sen. Charles Berg (DFL-Chokio) made the motion to reconsider the bill during the March 23 meeting. Berg also offered a substitute amendment to Stumpf's amendment that would have put the bill back into its original form. That amendment failed on an 11 to 13 roll call vote.

### Property tax reform plan heard

Sen. Douglas Johnson (DFL-Cook), chair of the Taxes and Tax Laws Committee, and Sen. Steven Novak (DFL-New Brighton), chair of the Property Taxes and Local Government Aids Division, Thursday, March 24, unveiled a property tax reform plan to the division which they said would be the most dramatic change in the system since 1971.

According to Novak, the plan will meet six goals for property tax reform including simplicity, a clarification of taxing responsibilities, eliminating disparities in tax rates, increase the flexibility of local governments to tax, increase local governments spending decisions and encourage accurate valuation of property.

Novak said property tax rates will be based on fixed percentages of market values for residential, agricultural, commercial and industrial, rental, seasonal and public utility property categories. Also under the plan, the various aids, classifications, mill rates and most exemptions contained in the current property tax system will be eliminated. The state will assume all funding responsibility for income maintenance for programs for the elderly and the needy. Regardless of the amount of money raised through the new property tax rates, costs for basic municipal services will be met, through state aid if needed.

The plan also calls for \$38.6 million in tax relief in 1988-89 and provides \$174 million in property tax relief in 1990-91. An overall 4.1 percent decrease in property taxes will take effect when the plan is approved.

The Senate plan is the result of contributions from tax division and tax committee members, the governor's office and representatives of the cities of Minneapolis and St. Paul and the

Coalition of Greater Minnesota Cities.

Several representatives from business interests said the plan was clearly a step in the right direction for business. However, more tax decreases are necessary to improve the business climate and the employment situation, according to a representative of the Minneapolis Building Owners and Managers Association. Glen Dorfman, representing the Minnesota Association of Realtors, said the plan "for the first time looks at taxpayers instead of tax users."

### Live Senate call-in show to debut on cable

Thursday, March 31, Senate Media Services will begin televising a live telephone call-in show from the Capitol. Guests for the first show include Senators Ember Richgott (DFL-New Hope), Gary Laidig (IR-Stillwater), Lawrence Pogemiller (DFL-Mpls.), Fritz Knaak (IR-White Bear Lake), and Allan Spear (DFL-Mpls.). Viewers are encouraged to call in their questions about issues, procedures or events involving the Senate. The show, "Capitol Call-In," will air from 4:00 p.m. to 5:00 p.m. on Regional Channel 6 on most metropolitan cable systems. Additional shows are scheduled for cablecast Thursday, April 7 and Thursday, April 14 at 4:00 p.m.

### Omnibus bills advance

The \$19.4 education funding omnibus bill and the \$2.7 Agriculture, Transportation, and Semi-States omnibus bill were approved by the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Thursday, March 24.

Appropriations in the education funding omnibus bill include \$6 million for special education deficiencies, \$11 million for intradistrict desegregation, and \$900,000 for AIDS prevention education.

The Agriculture, Transportation, and Semi-States omnibus bill includes appropriations for public safety disaster assistance-\$1.9 Million, charitable gambling enforcement-\$291,300, and State Arts Board grants to handicapped arts organizations-\$50,000. Neither agriculture nor transportation appropriations are included in the omnibus bill because the appropriations are contained elsewhere.

### Plant closing bill advances

By a 17-11 vote in the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), the "plant closing bill," S.F. 892, was approved Tuesday, March 22, and re-referred to the Rules and Administration Committee.

According to the author, Sen. Florian Chmielewski, S.F. 892 has two main components. The first provision mandates employers, employing more than 100 employees for at least two calendar quarters, who are closing, relocating, or reducing operations during a 90-day period by terminating 20 percent or more of the employees to notify, in writing, the commissioner of jobs and training and each affected employee at least 90 days in advance of the plant closing. The notification requirement does not include the termination of seasonal or temporary employees.

The second provision of the bill extends unemployment compensation benefits, after all other unemployment benefits are exhausted, to employees who have not been properly notified of the plant closing by their employers. Employers who do not notify employees of the plant closing are liable for an amount equal to the number of weeks of additional unemployment benefits, times the number of affected employees laid off as a result of the plant closing, times 110 percent of the average weekly benefit amount of the employers' industry. Chmielewski explained that the bill affects less than three percent of the private businesses in Minnesota.

# Committee Capsule

## Agriculture

### Five measures advance

The Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), approved five measures, Fri., Mar. 18. S.F. 2128 and S.F. 2557 were re-referred to the Committee on Finance. S.F. 2128, carried by Sen. Steven Morse (DFL-Dakota), requires a study of pesticides, animal drugs, and antibiotics in food. S.F. 2447, sponsored by Davis, establishes an industrial by-product soil buffering materials demonstration project and study. The bill carries a fiscal note of \$70,000.

Two bills were sent to the floor. S.F. 2076, also sponsored by Davis, includes seller-sponsored loans in the beginning farmer loan program. S.F. 2737, authored by Sen. Jim Vickerman (DFL-Tracy), memorializes the President of the United States to immediately direct the Secretary of Agriculture to halt the forced movement of farmer-owned reserve grains to commercial warehouses.

By actions of the committee, S.F. 1837 (Davis) which was originally drafted to appropriate money to enforce the organic food law became the vehicle for an agriculture omnibus bill. Ten bills were incorporated into the omnibus bill which was re-referred to the Finance Committee. The bill includes S.F. 2371, sponsored by Sen. Jim Vickerman, requiring a study on the feasibility of using ink with a soybean oil base for printing purposes. S.F. 665 and S.F. 1998 were also incorporated into the omnibus bill. S.F. 665 (Davis) establishes a Minnesota dairy task force to promote the profitability of dairy farms and products. S.F. 1998 (Davis) establishes standards for certain premiums and discounts on grain.

### Confirmations approved

The Agriculture Committee, chaired by Sen. Charles Davis (DFL-Princeton), met Wed., Mar. 23, to confirm appointments by the Governor. Sharon Hurley was confirmed to the Board of Animal Health. Additionally, Andrew Walters, Davis Velde, and Paul Sobocinski were confirmed to the Minnesota Rural Finance Administration Board.

## Commerce

### Real estate closing bill approved

Following a vote to reconsider a bill, the Commerce Committee met Fri., Mar. 18, and approved S.F. 2489, clarifying who may provide real estate closing services. Sen. James Metzen (DFL-South St. Paul), sponsor of the measure, explained that under the bill closing services may be provided for a fee by attorneys, real estate brokers, real estate salespersons, and real estate closing agents.

An attempt to amend the bill by putting a cap of \$150 on closing fees was defeated. Sen. Michael Freeman (DFL-Richfield) offered the amendment.

The committee, chaired by Sen. Sam Solon (DFL-Duluth), also approved S.F. 1838, requiring insurance coverage of such cancer diagnostic tests as pap smears and mammograms if the tests have been prescribed by a physician. Sen. Ronald Dicklich (DFL-Hibbing) carried the bill.

A major amendment to the bill, adding language of the fire-safe cigarette bill, S.F. 1838, was adopted. Sen. Gregory Dahl (DFL-Coon Rapids) said the fire-safe cigarette bill had been forwarded to the Senate floor after it was approved by the General Legislation and Public Gaming Committee, but said that the General Legislation Committee chair in the House had refused to hear the bill. Dahl further explained that by requiring stricter standards for the combustibility of cigarettes, the bill, if passed, will lessen the number of deaths from fires caused by cigarettes.

Both bills were forwarded to the Senate floor.

## Economic Development and Housing

### Housing trust fund approved

The establishment of a low-income housing trust fund to serve the housing needs of the low-income population was approved by

the Economic Development and Housing Committee, chaired by Sen. Don Frank (DFL-Spring Lake Park), Thur., Mar. 17. S.F. 1462, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), establishes the housing trust fund by assessing interest, at the highest passbook savings rate, on real estate trust accounts. Each real estate broker is required to maintain a pooled interest-bearing trust account for client funds. The interest accrued in the pooled trust accounts, minus reasonable transaction costs, is paid to the state treasurer for deposit in the housing trust fund account, unless otherwise specified by the parties involved. The housing trust fund will provide loans or grants for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing. The measure was re-referred to the Committee on Finance.

S.F. 2345 and S.F. 2405 were sent to the floor for further action. S.F. 2345, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), removes the \$1 million limitation on small business development loans for revenue-producing business under the Minnesota Agriculture and Economic Development Program. Additionally, the measure reserves \$3 million for small business development loans. S.F. 2405, carried by Sen. Richard Cohen (DFL-St. Paul), authorizes the Greater Minnesota Corporation to provide financial assistance to labor organizations and community groups. The measure also requires the Enterprise Development Partnership Program, the Science and Technology Resource Center, and the Customized Training Program to serve nonprofit organizations including labor organizations and community groups.

H.F. 2463 and S.F. 1819 were also sent to the floor. H.F. 2463, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes the IRRRB to purchase fire insurance for facilities operated by the board. S.F. 1819, sponsored by Sen. John Marty (DFL-Roseville), relates to single-metered utilities tenant rights. The measure authorizes tenants to pay for certain utilities and deduct the payments from rent due.

S.F. 2016, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), was re-referred to the Finance Committee. The bill authorizes the Minnesota Public Facilities Authority to issue revenue bonds and make loans to purchase the bonds of municipalities for wastewater treatment and water supply systems.

S.F. 2270, sponsored by Sen. Donna Peterson (DFL-Mpls.), was defeated by the committee, and S.F. 1887, carried by Frank was laid on the table. S.F. 2270 allows the installment and use of double cylinder deadbolt locks in single-family homes, townhouses, and first-floor duplexes that are used as a day care facilities. S.F. 1887 requires written disclosure of defects in residential housing before sale of that housing.

## Education

### Regents bill amended

The Education Committee approved S.F. 1284, authored by Sen. Ember Reichgott (DFL-New Hope), regarding the regents' selection process, Fri., Mar. 18. However, the bill was amended considerably.

The bill had been amended Thurs., Mar. 17, by the Higher Education Division of the Education Committee. The division approved a delete-everything amendment, offered by Sen. James Pehler (DFL-St. Cloud), which altered the search and selection process for regents of the University of Minnesota outlined in Reichgott's original bill.

One focus of discussion in the full Education Committee was an amendment proposed by Sen. Jim Ramstad (R-Minnetonka), which would have deleted part of the bill, and reinstated language from the original bill. Included in the sections affected by the proposed Ramstad amendment were those establishing a regent election process. The process proposed in Reichgott's bill would have established a candidate search commission to assist the legislature in identifying candidates for the University of Minnesota's board of regents. The commission would have organized subcommittees to identify qualified candidates.

A basic difference between the original bill and the delete-everything language inserted by Pehler is that, under the original language, the selection process would be more independent of the Legislature. However, the Ramstad amendment was rejected, so the original language was not reinstated.

However, amendments proposed and approved during the meeting deleted much of the bill as amended, including the section outlining the procedure for regent election and the section requiring the board to hire the necessary staff.

As amended, the bill puts into statute a requirement that the board make available all the books, accounts, documents and property that the commissioner of finance wishes to inspect. S.F. 1284 also specifically adds the board of regents to the list of boards audited by the Legislative Auditor.

The committee, chaired by Pehler, re-referred the bill to the Finance Committee.

Also amended and approved was S.F. 2105, authored by Sen. Michael Freeman (DFL-Richfield), relating to the sale of college savings bonds. Senators approved an amendment, offered by Sen. Donna Peterson (DFL-Mpls.), which deleted everything in the bill except for a provision mandating a study of the market for the bonds. The bill was sent to the Senate floor.

## Appointments confirmed

The Education Committee, chaired by Sen. James Pehler (DFL-St. Cloud), approved a number of gubernatorial appointments Wed., Mar. 23.

Approved for appointment to the Board of the Minnesota School and Resource Center for the Arts were Nancy Vollertsen, Florence Grieve, Jack Fena, Reginald Buckner, and Audrey Eickhof.

Approved for appointment to the Minnesota Higher Education Facilities Authority were John McHugh and Catherine Warrick.

The State University Board appointees approved by the committee were L.E. Danford and Nellie Stone Johnson.

The appointments of Richard Niemiec, Lee Antell, and B. Elaine Markey to the State Board for Community Colleges were approved.

The committee approved the appointments of Mabel Evans Cason and Marjorie Johnson to the State Board of Education.

Approved for appointment to the Minnesota Higher Education Coordinating Board were Charles Neerland and Alice Keller.

The committee also approved the appointments of Lenore Quick, Donna Anderson, Frank Adams and Scott Rocci Norcia to the State Board of Vocational-Technical Education.

In other action, Senators discussed, amended, and laid over S.F. 1571, authored by Sen. Gary Laidig (IR-Stillwater), relating to punishment in schools.

## Employment

### Administration's workers' comp bill heard

A proposal for revamping the state's workers' compensation system developed by the executive branch was the focus of attention at the Tues., Mar. 22, meeting of the Employment Committee. Representatives of the Dept. of Labor and Industry explained the contents of the measure, S.F. 2540. According to Commissioner Ray Bohn, "the bill takes a comprehensive rather than piecemeal approach to the workers' compensation system." Bohn also said that the bill would lead to stability and certainty in the system. Further, he estimated that the bill would result in about \$10 million in savings.

Article I of the bill essentially reinstates regulation of workers' compensation insurance. The lengthy section of the bill provides for a definition of unfair rate discrimination; a rate freeze; the outline for a rate-setting mechanism; interim adjustments; automatic adjustments; and appropriations.

Article II of the bill deals with benefits to injured workers. Sections of the bill provide for converting existing benefit entitlement from two-thirds of pre-injury wage to 80 percent of the employee's spendable weekly earnings; prohibiting attorneys representing employers, employees and insurers from charging more than \$6,500 unless additional fees are approved by the judge

before whom the matter is heard; setting maximum temporary total benefits at 130 percent of the statewide average weekly wage and minimum benefits at 20 percent of the statewide average weekly wage or 20 percent of the employee's spendable weekly earnings; setting the 80 percent of spendable weekly earnings formula for temporary partial and permanent total benefits; freezing the medical fee rules as of Oct. 1, 1988; setting the first escalator adjustment for weekly benefits at two years from the date of injury rather than one year. The final provision of the bill sunsets the entire workers' compensation system as of June 30, 1991.

Panel members also continued to hear testimony from injured workers about their experiences with the workers' compensation system.

Discussion on the workers' compensation reform packages before the committee will continue.

## Environment and Natural Resources

### Mourning dove season survives

A provision allowing an experimental two-year hunting season on mourning doves, deleted from a bill earlier in the session, was amended back onto a bill by the Environment and Natural Resources Committee, Thurs., Mar. 17. The provision was added to S.F. 2098, authored by committee chair Sen. Bob Lessard (DFL-Int'l. Falls). Lessard's bill authorizes a hunting season on crow and raven and removes crows from the unprotected birds list. S.F. 2098 was referred to the Senate floor.

The committee also voted to reconsider Sen. Charles Berg's (DFL-Chokio) omnibus hunting and fishing bill, H.F. 2265. The language pertaining to an early fishing opener in the southern one-third of the state was removed and the bill repassed and sent to the Senate floor.

S.F. 1928, authored by Sen. Steven Morse (DFL-Dakota), establishing a safe water drinking account was approved and re-referred to the Finance Committee. Money in the account is to be used to support administration, inspections, training, laboratory analysis and enforcement of a safe drinking water program. Following adoption of an amendment offered by Berg, to delete a provision requiring a fee to be paid by public water service supply owners, the committee adopted another amendment, offered by Morse, to appropriate \$1.5 million from the general fund to the safe drinking water account.

An environmental lien bill, S.F. 412, authored by Sen. William Luther (DFL-Brooklyn Park), was approved and forwarded to the Senate floor. The bill is an amendment to the original which called for a priority lien by the state on lands cleaned of hazardous wastes using state cleanup funds. The new language is comparable to federal lien laws, according to Luther.

Finally, the committee approved S.F. 2390, authored by Sen. John Brandl (DFL-Mpls.). The bill directs the Minneapolis Airports Commission to add noise reduction to an existing list of environmental goals. The bill was referred to the Senate floor.

## Finance

### Preliminary budget approvals

The Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), discussed post-secondary education budget allocations, Fri., Mar. 18. According to Waldorf, "We may not be able to resolve all of the issues today." Preliminary recommendations for Higher education funding include \$5.7 million to alleviate the HECB 1987 appropriation deficiency. Additional HECB funding recommendations include \$150,000 for quality assessment and \$60,000 for a feasibility study of a 2 + 2 Program at Arrowhead Community College.

Funding for the technical institutes was not addressed at the hearing. Priorities include curriculum restructuring and the state council.

Funding recommendations for enrollment increases at the community colleges were set at \$4.9 million. Sen. Gary DeCramer

# Committee Capsule

(DFL-Ghent) also recommended allocating \$1.3 million for a base adjustment at the community colleges. According to DeCramer, the community colleges are "still in the catch up mode."

Seven million dollars to offset enrollment increases and \$350,000 for the Science and Technology Center at Southwest State University were recommended for the state university system.

The only funding recommendation for the University of Minnesota was \$3 million for rank funding adjustments. The committee agreed that the university would be expected to contribute \$9 million for rank funding adjustments from their reserve fund. Final committee action on the funding allocations was delayed until the University of Minnesota reports on its reserves.

## Allocations discussed

The Agriculture, Transportation, and Semi-States Division of Finance, chaired by Sen. Keith Langseth (DFL-Glyndon), discussed budget allocations, Mon., Mar. 21. Allocations for the Dept. of Transportation, Dept. of Public Safety, the Regional Transit Board, the Charitable Gambling Board, the Soil and Water Board, and the Humanities Commission were reviewed.

S.F. 213, sponsored by Sen. Joseph Bertram (DFL-Paynesville), was also discussed and laid over. The bill appropriates \$10,000 to the Military Order of the Purple Heart to assist veterans in making claims against the United States government.

## Rochester Center discussed

The establishment and governance of the University Center at Rochester was discussed at length during the Education Division of the Finance Committee, Mon., Mar. 21. S.F. 2152, carried by the committee chair, Gene Waldorf, establishes the University Center at Rochester. An amendment offered by Sen. Jerome Hughes (DFL-Maplewood), authorizing the HECB to establish and govern the Center, was defeated by a narrow margin. Waldorf expressed discomfort with HECB involvement in higher education operation initiatives. Sen. Ronald Dicklich (DFL-Hibbing) agreed with Waldorf. According to Dicklich, the amendment "puts the HECB in the business of higher education and jeopardizes the autonomy of the HECB." The bill was laid over for further discussion.

One measure, S.F. 2093, was approved and sent to the full Committee. Sponsored by Sen. Steven Morse (DFL-Dakota), the measure eliminates the cap on the state university system student health service fee.

Four bills were laid over. S.F. 1583, sponsored by Sen. Linda Berglin (DFL-Mpls.), mandates the use of blind vendors at the state university system. S.F. 775, sponsored by Sen. John Marty (DFL-Roseville), provides model programs for adult vocational occupational literacy training. S.F. 2397, sponsored by Morse (DFL-Dakota), authorizes the State University Board to use unrestricted money to pay off existing revenue bonds and to issue new revenue bonds. S.F. 151, sponsored by Sen. Joseph Bertram (DFL-Paynesville), establishes the permanence of tuition exemptions for Vietnam veterans at technical institutes.

## Bills reviewed

The Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul), discussed seven bills Tues., Mar. 22.

S.F. 1583, carried by Sen. Linda Berglin, mandates the state university system to contract with blind vendors. Waldorf advised the committee to incorporate the measure into the Higher Education omnibus bill.

Six other bills were laid over. S.F. 2377, sponsored by Sen. Ember Reichgott, appropriates \$750,000 to the community colleges for student child care services. S.F. 1860, and S.F. 2036, authored by Sen. Gary DeCramer (DFL-Ghent), involve Southwest State University. S.F. 1860 establishes library services at each of the four campuses of Southwest Technical Institute in cooperation with Southwest State University. S.F. 2036 appropriates money for a history center at Southwest State University and St. Cloud University.

S.F. 350, carried by Sen. James Pehler, appropriates \$1.3 million to the State University Board for women's intercollegiate athletic

programs. S.F. 1702, also authored by Pehler, appropriates money for an optical fiber telecommunications system and related interconnections. S.F. 1986, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), appropriates \$700,000 for the acquisition of property for Anoka-Ramsey Community College.

## Allocations discussed

Budget allocations were the focus of meetings of the Health and Human Services Division of Finance, and the Agriculture, Transportation, and Semi-States Division of Finance, held Tues., Mar. 22. The State Departments Division, also reviewed and discussed allocations at their meeting Tues., Mar. 22.

## Allocation requests advance

Three Finance Divisions continued action on allocation requests, Wed., Mar. 23. The Health and Human Services Division, chaired by Sen. Don Samuelson (DFL-Brainerd), incorporated bills referred by the policy committee into the Health and Human Services omnibus bill.

The Agriculture, Transportation, and Semi-States Division, chaired by Sen. Keith Langseth (DFL-Glyndon), also discussed funding allocations which will be incorporated into the omnibus bill.

Four measures were incorporated into the Higher Education omnibus bill in the Education Division of Finance, chaired by Sen. Gene Waldorf (DFL-St. Paul). S.F. 2397, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes the State University Board to use unrestricted funds to pay off existing outstanding revenue bonds. The measure will save the university system \$7 million dollars.

S.F. 2152 (Waldorf), establishing a University Center at Rochester, was amended by the committee. Sen. Dean Johnson (IR-Willmar) asked the committee to reconsider an amendment offered by Sen. Jerome Hughes (DFL-Maplewood) which had previously been voted down. The amendment directs the HECB to establish and govern the University Center at Rochester.

S.F. 444, sponsored Waldorf, establishes a task force to develop necessary procedures if the legislature were to unite community colleges and technical institutes under one governing board in a future legislative session.

S.F. 839, carried by Sen. James Pehler (DFL-St. Cloud), was incorporated into the omnibus bill as a rider. The measure requests a report every other year from the HECB Average Cost Funding Task Force.

## Bills advance

In addition to the omnibus bill three additional measures were approved by the committee, Thurs., Mar. 24. S.F. 1595, carried by Sen. Joseph Bertram (DFL-Paynesville), transfers control of the Minnesota veterans homes from the Dept. of Human Services to the Dept. of Veterans Affairs. Additionally, the measure establishes the Board of Veterans Homes to govern the veterans homes. S.F. 1618, also sponsored by Bertram, increases the State Armory Building Commission's limit on bond indebtedness. S.F. 1218, authored by Sen. Gary Laidig (IR-Stillwater), appropriates \$28,500 for the preservation of historic land surveys.

## Governmental Operations

### Committee approves seven bills

The Governmental Operations Committee, chaired by Sen. Donald Moe (DFL-St. Paul), approved seven bills during its final meeting Thurs., Mar. 17.

H.F. 1077, carried by Moe, relates to local pension matters. Items dealt with in the bill include volunteer firefighters annuity contracts, changes in local police and firefighters relief associations, and standards and liability for fiduciaries of public retirement funds. The bill was approved as amended and sent to the full Senate.

Members also approved, as amended, H.F. 1709, carried by Sen. Darril Wegscheid (DFL-Apple Valley), which relates to pension

benefits matters. The bill establishes an individual retirement account plan for eligible state university and community college employees and lowers the normal retirement age for members of some retirement funds. The bill was re-referred to the Finance Committee.

Also amended, approved, and sent to the Senate floor was S.F. 2175, authored by Wegscheid, relating to statewide administrative matters. The bill makes provisions for members of the Teachers Retirement Association placed on an unrequested leave of absence and includes certain historical society employees in the membership of the Public Employees Retirement Association.

In other action, Senators approved S.F. 1463, authored by Sen. Gary DeCramer (DFL-Ghent). The bill establishes a veterans outreach center in southwestern Minnesota. The center will provide information and services, including medical services, to veterans. An amendment accepted by the committee added the creation of a board of directors for the center. The bill was re-referred to the Finance Committee.

Committee members also approved, as amended, S.F. 2196, authored by Sen. David Frederickson (DFL-Murdock), which expands the definition of a "socially or economically disadvantaged person" in relation to the set-aside program; S.F. 2414, authored by Sen. Carl Kroening (DFL-Mpls.), as amended, providing for reassignment of a University of Minnesota job classification to a different unit; and S.F. 2513, authored by Sen. John Marty (DFL-Roseville), as amended, relating to affirmative action in metropolitan agencies. All were sent to the full Senate.

## Health and Human Services

### Insurance for uninsured okayed

A state-administered insurance program for persons without health care coverage would be implemented for the 1989-1991 biennium under provisions in S.F. 2263, carried by Sen. Linda Berglin (DFL-Mpls.). The measure directs the commissioner of human services to develop a plan to implement the insurance program and report back to the legislature by January 1, 1989. The bill was approved by the Health and Human Services Committee, chaired by Berglin, and re-referred to the Committee on Finance Thur., Mar. 17.

Four other measures were approved. S.F. 2139, sponsored by Berglin, changes procedures for determining ICF and MR rates beginning in 1988. According to Berglin, the heart of the bill enables program cost adjustments to be based upon client need. The bill was re-referred to the Finance Committee as was S.F. 2159, sponsored by Sen. Sam Solon (DFL-Duluth). S.F. 2159 establishes a demonstration project to provide low cost medical insurance to uninsured persons in Crow Wing County. The measure carries an appropriation of \$200,000.

S.F. 752, sponsored by Sen. Ember Reichgott, and H.F. 421, sponsored by Sen. Florian Chmielewski, were sent to the floor. S.F. 752 updates the pharmacy statutes. The measure permits the temporary suspension of a pharmacy license without a hearing. Additionally, the bill requires annual registration with the Board of Pharmacy for out-of-state pharmacies dispensing drugs in Minnesota. S.F. 752 authorizes the commissioner of health to issue subpoenas to investigate serious health threats in the community.

### Ten bills advance

The Health and Human Services Committee, chaired by Sen. Linda Berglin, advanced ten bills Fri., Mar. 18.

S.F. 1274, sponsored by Sen. John Brandl (DFL-Mpls.), was re-referred to the Finance Committee. The measure allows a ventilator-dependent recipient of medical assistance to receive the services of a communicator or interpreter for a period of up to 120 hours to assure proper training of hospital staff in communicating with the ventilator-dependent person. According to Susan Margelous, a proponent of the bill who was a ventilator-dependent patient in the hospital, "It is essential that people on ventilators have a way to communicate with the hospital staff and that they are never left alone."

Five other measures were re-referred to the Finance Committee. S.F. 2365, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), directs the State Planning Agency to develop a plan to expand the use of the Faribault Regional Center.

S.F. 1635, carried by Sen. Douglas Johnson (DFL-Cook), allows medical assistance reimbursements for swing bed payments in specific instances.

S.F. 2297, authored by Berglin, establishes a demonstration project to monitor blood lead levels in pregnant women and a demonstration project on soil lead cleanup.

S.F. 1933, sponsored by Sen. Jim Vickerman (DFL-Tracy), revises procedures used for establishing rates for day training and habilitation services for persons with mental retardation or a related condition.

S.F. 2081, also sponsored by Vickerman, authorizes funding assistance to small hospitals for health care planning and capital improvement.

Three measures were sent to the floor including S.F. 2145 and H.F. 2615, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley). S.F. 2145 provides equal access to chiropractic services. The most controversial provision of the bill, requiring licensure of chiropractors, was amended by Brandl to include college accreditation by an agency approved by the United States Office of Education. The original draft of the bill gave college accreditation powers only to the Council on Chiropractic Education. H.F. 2615 provides temporary licensure for freestanding 24-hour emergency medical centers until permanent rules are adopted.

S.F. 2525, sponsored by Berglin, memorializes the President and the United States Congress to enact a program of national health insurance.

S.F. 1327, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), was significantly amended and re-referred to the Judiciary Committee. The measure addresses child support payments and includes tax liabilities owed to a unit of government for consideration when establishing or modifying support obligations.

## Judiciary

### Data privacy bills advance

A marathon eight-hour committee hearing the evening of Wed., Mar. 16, resulted in the advancement of 12 bills. The panel, chaired by Sen. Allan Spear (DFL-Mpls.), approved two bills dealing with data privacy issues, and discussed measures relating to changes in the corporate anti-takeover laws.

S.F. 1727, authored by Sen. Pat Piper (DFL-Austin), creates a new section in the laws defining employment and training data as private data on individuals and provides for dissemination of the data in two categories. First, the data may be given to other employment and training service providers to coordinate services or to determine eligibility for services. Secondly the data may be disseminated to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs or other employment programs. S.F. 2122, carried by Sen. Randolph Peterson (DFL-Wyoming), is the omnibus data practices bill for this session. The measure makes several changes in the laws relating to the collection and dissemination of data and proposes classifications of data as private and nonpublic.

Panel members also acted on two measures relating to the Sentencing Guidelines Commission. S.F. 2125, authored by Spear, directs the commission to study three sentencing issues. Under the bill, the commission is to study whether improved criteria and procedures should be developed to limit the length of aggravated durational departures from presumptive sentences; whether improved criteria and procedures can be developed to minimize or eliminate the issues of social and economic factors as the basis for dispositional departures from presumptive sentences; and whether and to what extent guidelines should be developed to govern the type and severity of nonimprisonment sanctions imposed by sentencing judges as conditions of stayed sentences. The second bill, S.F. 1540, sponsored by Sen. Gary Laidig (IR-Stillwater), changes the membership of the Sentencing Guidelines

# Committee Capsule

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Commission by decreasing from two to one the number of district court judges and increasing from two to three the number of public members serving on the commission.

Other criminal law bills receiving committee approval included H.F. 1710, carried by Sen. Donna Peterson (DFL-Mpls.), prohibiting the display of sexually explicit material deemed harmful to minors in places of public accommodation open to minors. The measure also imposes a penalty for the display of the material. S.F. 2071, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), requires a neighborhood impact statement to be submitted as part of the presentence investigation report for controlled substance felony offenses and permits impact statements for controlled substance misdemeanor and gross misdemeanor offenses. H.F. 1836, sponsored by Laidig, provides for proof of prior convictions at sentencing hearings and in criminal prosecutions in which the degree of the crime or the penalty for the crime depends on proof of the existence of a prior conviction. One measure, S.F. 1619, sponsored by Spear, repealing the law against ticket scalping, failed to gain the committee's approval.

In the area of civil law the committee approved several additional bills. S.F. 1788, sponsored by Sen. Randolph Peterson, makes numerous changes in the laws affecting filing handled by the corporations division of the office of the secretary of state. According to Peterson, the bill is an attempt to simplify, standardize, and clarify statutory provisions in order to make the filing process easier and more efficient. S.F. 2023, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires the recordation of transfers of contracts for deed.

S.F. 2055, also carried by Berglin, provides for court-ordered community-based nonresidential treatment for persons who fail to obtain necessary food, clothing, shelter, or medical care as a result of impairment. In addition, the bill requires that the court decide on the least restrictive program and outlines procedures for release before commitment and provisional discharge. S.F. 2275, sponsored by Sen. Richard Cohen (DFL-St. Paul), makes several changes in the juvenile court laws. The bill eliminates statutory references to "dependency" and "neglect" and substitutes the term "child in need of protection or services," eliminates juvenile court jurisdiction over children who are "habitually disobedient," transfers alleged truants and runaways to the court's protective services jurisdiction, expands the court's dispositional authority in certain child protection cases and limits the juvenile court's contempt authority over nondelinquents.

Committee members devoted a great deal of time to discussion of three bills relating to corporate anti-takeover law modifications. The result was the approval of S.F. 1892, authored by Sen. Ember Reichgott (DFL-New Hope). However, the measure does contain portions of two bills authored by Sen. William Luther (DFL-Brooklyn Park), S.F. 2329 and S.F. 2493.

## "Right to bear arms" bill fails

The last Judiciary Committee meeting in which bills could be acted upon Fri., Mar. 18, was the occasion for reconsideration of the controversial bill proposing a "right to bear arms" constitutional amendment. Earlier in the month panel members had approved an amended version of the bill, but then had reconsidered the vote. The amended version of the bill, S.F. 268, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), was back before the committee at the Friday hearing. After two hours of debate among committee members and attempts to amend the bill a roll call vote was taken on the amended version. The measure failed to gain approval on a 12-4 vote.

In other action, the panel did give approval to nine bills. S.F. 2183, authored by Sen. Linda Berglin (DFL-Mpls.), increases the penalties for crimes when committed because of the victim's actual or perceived race, color, religion, sex, sexual orientation, age, disability, or national origin. Under the bill, penalties for assaults, criminal damage to property in the second, third and fourth degrees, trespass, intrusion on privacy, obscene phone calls and harassment by letter, telegram or package may all be enhanced when motivated by bias.

H.F. 1767, carried by Sen. Tad Jude (DFL-Maple Grove), requires notice of foreclosure by advertisement to separately list record owners with no legally protected interest in the real estate. The measure was recommended for placement on the Senate Consent Calendar. H.F. 10, also sponsored by Jude, clarifies that the crying of a child does not constitute provocation under first degree manslaughter.

S.F. 2277, authored by Sen. Richard Cohen (DFL-St. Paul), establishes a records destruction schedule for chemical abuse preassessment teams and requires law enforcement reports of certain drug incidents to the chemical abuse preassessment team in the school where the student is enrolled. S.F. 2506, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes parties to waive automatic income withholding when there is modification of a child support or maintenance order determined prior to the effective date of the 1987 law requiring mandatory withholding pilot projects. H.F. 577, authored by Sen. John Marty (DFL-Roseville), clarifies the purpose of the laws on termination of parental rights and alters grounds and procedures for the termination of parental rights.

H.F. 111, carried by Sen. Michael Freeman (DFL-Richfield), provides that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed an aggravated felony against the person as a member of an organized gang. In addition, the bill makes it a crime for a juvenile delinquent who is 18 years old to escape from lawful custody. S.F. 2472, sponsored by Sen. A.W. "Bill" Diessner (DFL-Afton), increases penalties for issuing a worthless check based on the aggregate value of the check or checks over a six month period. H.F. 1754, sponsored by Sen. Donna Peterson (DFL-Mpls.), makes changes in the "son of Sam" law by authorizing the Crime Victims' Reparations Board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime and permitting an offender's minor children to receive some proceeds of the commercial exploitation of a crime. The measure also authorizes the board to pay the costs of returning an abducted child home, clarifies duties of the Crime Victims Ombudsman, and requires notification of the victim when the prosecutor declines prosecution in domestic assault cases.

## Local and Urban Government

### Lake Minnetonka park bill stalls

A bill authorizing the suburban Hennepin Regional Park District to acquire land for a Lake Minnetonka Regional Park without the approval of local units of government failed to gain the endorsement of the Local and Urban Government Committee. Panel members, chaired by Sen. Robert Schmitz (DFL-Jordan), devoted the bulk of the Thurs., Mar. 17, hearing to discussion of the proposal. The members of the committee expressed concern that the bill, S.F. 2386, sponsored by Sen. Carl Kroening (DFL-Mpls.), would set a precedent by usurping the authority of local governmental units. The motion to approve the bill and re-refer the measure to the Environment and Natural Resources Committee failed.

In other action, the panel approved two measures. H.F. 81, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), allows city reserve funds to be used for replacement of sidewalks and trees. The measure was approved for the Consent Calendar. S.F. 2491, authored by Sen. William Luther (DFL-Brooklyn Park), specifies items to be included in the Metropolitan Council's budget, work programs and reports.

## Taxes and Tax Laws

### Financing waste cleanups okayed

The Economic Development Tax Subcommittee met Fri., Mar. 18, approved four bills and referred them to the Taxes and Tax Laws Committee.

S.F. 1754, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes tax increment financing for hazardous waste cleanups on sites that will be ready for economic development once hazardous wastes are removed. Pogemiller said the bill depends on the availability of state bonding funds to develop a loan fund for cleanup projects. Under the bill, municipalities will repay state loans through tax increment financing.

H.F. 2063, sponsored by Sen. Steven Morse (DFL-Dakota), authorizes the refinancing of existing loans held by non-profit groups if necessary to reduce housing costs to an affordable level or to maintain the supply of affordable low-cost housing. The panel adopted an amendment requiring those seeking to refinance a loan to prepare a plan for housing needs in the future.

A bill providing a way for local governments to raise money for matching loan funds from tax increment districts was approved. S.F. 1968, authored by Sen. John Bernhagen (R-Hutchinson), allows local governments to use unencumbered general funds to match available loan funds of up to \$50,000 for development projects.

H.F. 1964, authored by Pogemiller, providing conditions for state and local bonding authority, was also approved. Under the bill, bonding authority is subject to a volume cap determined by federal law.

Sen. Ember Reichgott (DFL-New Hope) chairs the subcommittee.

### Commercial-industrial reform bill heard

The Property Tax Division, chaired by Sen. Steven Novak (DFL-New Brighton), Mon., Mar. 21, heard but took no action on S.F. 2110, repealing some of the commercial and industrial property tax increases passed by the Legislature last year. Representatives of Minnesota Power, Dayton-Hudson Corporation, Northern States Power, Minnesota Rural Electric Co-ops, Building Owners and Managers, Inc. (BOMI), Minnesota Association of Realtors, and the International Brotherhood of Electrical Workers all spoke in support of commercial and industrial property tax reform.

### Tax increment financing bills okayed

Several tax increment financing and special service district bills were approved and referred to the Taxes and Tax Laws Committee by the Economic Development Tax Subcommittee, Mon. Mar. 21.

Tax increment financing, as explained by John Yunker from the Program Evaluation Division of the Legislative Auditor's Office, is used by cities to finance certain types of real estate development costs. The primary reason for using tax increment financing is to promote private investment, Yunker said. He added that 247 cities are now using tax increment financing, some of which are not meeting state guidelines regarding the financing tool. The Legislative Auditor's Office recommends that the Legislature either change the tax increment approval process or replace tax increment financing with redevelopment funds financed by state and local sources, Yunker said. Subcommittee chair Sen. Ember Reichgott (DFL-New Hope) said the report and recommendations will be studied over the interim.

In other action, the subcommittee approved S.F. 2370, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), providing for tax increment financing in Virginia. Another bill, S.F. 1659, carried by Reichgott, was amended onto the bill. S.F. 1659 makes various changes in tax increment financing projects around the state. S.F. 2370 was further amended by Sen. Lawrence Pogemiller (DFL-Mpls.) by adding language pertaining to tax increment financing contained in his hazardous waste cleanup bill, S.F. 1754.

S.F. 2182, carried by Sen. James Metzen (DFL-South St. Paul), excluding certain referendum levies from tax increments, was approved. The subcommittee heard, but took no action on, S.F. 1135, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley). S.F. 1135 would require a taxing authority to obtain permission from a county government before including a county's portion of assessed value within the taxing district.

Three special service district bills were rolled into one and the vehicle bill, S.F. 1142, carried by Reichgott, was approved. S.F. 1767, sponsored by Sen. Donna Peterson (DFL-Mpls.), establishes a Minneapolis Special Services District including all of Minneapolis

with the exception of the downtown area and the Lake Street and Hennepin Avenue area which have already established special service districts. S.F. 1843, carried by Pogemiller, provides for a more restrictive downtown special service district and excludes churches, non-profit groups and residential housing from the district tax. Both S.F. 1767 and S.F. 1843 were amended onto S.F. 1142 which authorizes the establishment of a special service district in Robbinsdale.

The subcommittee approved S.F. 1963, authored by Pogemiller, making certain changes in public finance guidelines. Finally, H.F. 1224, authored by Sen. Douglas Johnson (DFL-Cook), creating a joint economic development authority in Cook County and allowing the authority to levy three-fourths of a mill for economic development, was approved.

### Tax refunds and education aids bills pass

The Taxes and Tax Laws Committee, Tues., Mar. 22, approved a return of the portion of property tax refunds withheld from renters and homeowners last year. Under H.F. 1704, carried by Sen. Douglas Johnson (DFL-Cook), chair of the committee, the 33 percent cut in tax refunds passed by the 1987 Legislature will be restored for all filers but only for the 1986 tax year. In future years, the refunds will be available only for low-income households. The bill was forwarded to the Senate floor.

The committee also approved and re-referred the omnibus education funding bill to the Finance Committee. S.F. 2095, sponsored by Sen. Randolph Peterson (DFL-Wyoming), adopts the 1989-90 general education and transportation levies and initiates a new two mill facilities levy effective in 1989. An amendment to the bill, offered by Sen. Ember Reichgott (DFL-New Hope) providing for a two percent supplemental increase in the basic education allowance for all districts in 1989-90 was approved. The amendment assures that all districts, regardless of funding levels, will receive an increase.

### Trigger tax repealed

In addition to approving H.F. 1754, the highway funding package, Wed., Mar. 23, the Taxes and Tax Laws Committee approved seventeen other bills and forwarded them to the Senate floor.

S.F. 1756, carried by committee chair Sen. Douglas Johnson (DFL-Cook), repeals the "trigger tax" on corporate and individual income taxes that would have gone into effect when the state's reserve fund dropped to \$150 million or less. S.F. 1771, authored by Sen. Ember Reichgott (DFL-New Hope) retains strict levy limits for cities and counties not complying with pay equity requirements. H.F. 1302, authored by Sen. Bob Lessard (DFL-Int'l Falls.), allows Itasca County to levy one mill for economic development.

S.F. 1590, carried by Sen. Jim Vickerman (DFL-Tracy), makes administrative changes within the Dept. of Transportation. A provision requiring a \$12 wheelage tax on all passenger vehicles registered in the seven-county metro area was amended out of the bill by the committee. H.F. 1851, authored by Vickerman, describes the duties of township officers. S.F. 632, carried by Sen. Don Samuelson (DFL-Brainerd), allows Little Falls to transfer its bonding authority from one project to another. H.F. 1459, carried by Samuelson, removes Irondale levy limitations. S.F. 1974, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), allows the Ramsey-Washington Metro Watershed District to levy an annual ad valorem tax for its administrative fund. The tax may not exceed \$125,000 unless approved by the Ramsey and Washington County Boards. H.F. 289, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), authorizes a five-year extension for issuance of St. Paul capital improvement bonds.

H.F. 1864, sponsored by Sen. Robert Schmitz (DFL-Jordan), allows Jordan to issue tax anticipation certificates. S.F. 22, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake) permits Chisago, Kanabec, Carlton and Pine Counties to levy one mill for historical societies in the counties. S.F. 479, authored by Sen. Sam Solon (DFL-Duluth), extends Duluth's authority to issue capital improvement bonds for three more years. S.F. 1154, carried by Sen. Gene Waldorf (DFL-St. Paul), imposes a \$90 flat sales tax on collector motor vehicles. S.F. 2411, sponsored by Sen. Don Moe (DFL-St. Paul),

authorizes Ramsey County to issue bonds for the renovation of the St. Paul City Hall and the Ramsey County Courthouse. S.F. 2136, sponsored by Sen. Jim Pehler (DFL-St. Cloud), repeals the expiration date for interest reduction assistance for housing and redevelopment authorities. S.F. 1706, carried by Pehler, allows the transfer of property without payment of back taxes at the time of transfer. S.F. 1877, authored by Sen. Steven Novak (DFL-New Brighton) allows all counties to issue certain types of capital improvement bonds.

## Monday, March 21

### “Lemon” bill given preliminary approval

Senators granted preliminary approval to H.F. 85, the used car “lemon” bill, Mon., Mar. 21. The bill, carried by Sen. Gregory Dahl (DFL-Coon Rapids), tightens up controls on used motor vehicle sales.

Under the legislation, most used motor vehicles sold by dealers would be covered by an express warranty, which would remain in effect for at least 60 days or 2,500 miles (whichever comes first), if the vehicle has less than 36,000 miles. If the vehicle has between 36,000 and 75,000 miles, the warranty would remain in effect for at least 30 days or 1,000 miles, whichever comes first. If a malfunction, defect or failure occurred in a covered part within the limits of the warranty, the dealer would have to repair or replace it, or accept the return of the vehicle.

Senators gave final approval to four items on the day’s Consent Calendar. H.F. 1766, carried by Sen. Douglas Johnson (DFL-Cook), makes explicit the power of towns to take authorize a lodging tax; H.F. 1926, carried by Sen. LeRoy Stumpf (DFL-Plummer), authorizing political subdivisions to authorize aid under certain emergency conditions; H.F. 2056, carried by Sen. Allan Spear (DFL-Mpls.), requiring that a corrective deed be issued to the Basilica of St. Mary of Minneapolis to for state lands authorized to be conveyed to the Basilica of St. Mary’s, Inc.; and H.F. 1816, carried by Sen. Don Frank (DFL-Spring Lake Park), requiring motor vehicle lessors to provide child passenger restraints upon request.

H.F. 2270, carried by Sen. Randolph Peterson (DFL-Wyoming), had been designated as Special Orders and was given final approval. The bill authorizes the private sale of surplus state property to the Memorial Hospital Association of Cambridge.

In other action, preliminary approval was granted to a number of measures, including: H.F. 1867, carried by Sen. A.W. “Bill” Diessner (DFL-Afton), repealing a provision for county board expenses in Washington County; H.F. 320, carried by Sen. Don Samuelson (DFL-Brainerd), eliminating provisions regulating public rest rooms maintained by statutory cities and cities of the fourth class; H.F. 1846, carried by Diessner, authorizing inspection of records kept by waste facilities by county employees; H.F. 2083, carried by Sen. Jim Vickerman (DFL-Tracy), modifying the immunization law; S.F. 1646, authored by Sen. Gary DeCramer (DFL-Ghent), clarifying certain insurance coverage for newborn infants; H.F. 1790, carried by Sen. Sam Solon (DFL-Duluth), providing for the performance of will searches upon the death of a safe deposit box renter; S.F. 1875, authored by Sen. Donna Peterson (DFL-Mpls.), authorizing certain labor contracts entered into by the city of Minneapolis; S.F. 1587, authored by Vickerman, authorizing vending machines in highway rest areas weight stations and information centers; and H.F. 1806, carried by Sen. Donald Moe (DFL-St. Paul), amending and repealing some of the statutes administered by the State Board of Investments.

Also granted preliminary approval were S.F. 1564, authored by Sen. Dennis Frederickson (IR-Morgan), modifying the laws regarding mopeds; S.F. 1686, authored by Sen. David Frederickson (DFL-Murdock), regarding delivery of dry edible beans from a grain warehouse; H.F. 1940, carried by Sen. Allan Spear (DFL-Mpls.), modifying the laws regulating repair shops by requiring disclosure regarding storage fees; H.F. 1853, carried by Ms. Peterson, clarifying a statute that requires insurance plans to cover certain services provided by a registered nurse to the same extent that they would

be covered if provided by a physician; S.F. 1749, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), providing conditions for contractors bonds; H.F. 1784, carried by Sen. Marilyn Lantry (DFL-St. Paul), allowing a certified nurse-midwife to prescribe and administer drugs; S.F. 1228, authored by Sen. Steven Morse (DFL-Dakota), allowing the student member of the Higher Education Coordinating Board to vote; and H.F. 1989, carried by Sen. James Pehler (DFL-St. Cloud), creating a child care task force.

Senators also gave preliminary approval to S.F. 1918, authored by Lantry, creating certain exceptions to the nursing home moratorium; H.F. 1732, carried by Solon, authorizing extended off-sale liquor store hours on the day preceding Thanksgiving Day; S.F. 1822, authored by Solon, prohibiting certain transactions by brewers and malt liquor wholesalers; H.F. 1831, carried by Cal Larson (IR-Fergus Falls) authorizing the issuance of liquor licenses to an excursion and dinner boat on Detroit Lake and to Fort Snelling; S.F. 1673, authored by Pehler, authorizing the dispensing of liquor at the St. Cloud Civic Center; S.F. 1121, authored by Stumpf, establishing a titling system for salvage and rebuilt motor vehicles; S.F. 1867, authored by Sen. Pat Piper (DFL-Austin), providing more consumer protection regarding funerals, and the purchase of mausoleums; S.F. 1826, authored by Samuelson, providing for appointments to fill vacancies of county offices until elections are held; and H.F. 1850, carried by Sen. Betty Adkins (DFL-St. Michael), authorizing towns to make certain improvements.

The latter portion of the afternoon floor session was devoted to continued work on the General Orders Calendar. Eleven additional bills were granted preliminary approval. S.F. 1742, authored by Sen. Charles Berg (DFL-Chokio), clarifying laws relating to a farmer’s right of first refusal to repurchase land that had been foreclosed upon, generated considerable debate. An amendment offered by Stumpf, specifying that the farmer would have the right of first refusal only if the farmer stayed on the land and continued farming, was adopted. An amendment, offered by Sen. Steven Morse (DFL-Dakota), prohibiting the sale of the right of first refusal, failed to be adopted. The measure was then given preliminary approval.

S.F. 2137, sponsored by Pehler, modifies language in the statutes requiring school nurses. H.F. 1858, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), designates the Willard Munger Trail in norther Minnesota. S.F. 1701, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), designates the fossil of the giant beaver as the state fossil. H.F. 1817, carried by Sen. Darril Wegscheid (DFL-Apple Valley), requires lifesaving devices in duck boats. S.F. 1620, authored by Piper, provides for therapeutic work activities for adults with mental retardation and relating conditions and makes other technical changes requested by the Dept. of Human Services.

S.F. 1970, authored by Sen. Roger Moe (DFL-Erskine), exempts Indian health service facilities from rate establishment and requires rate establishment for out of state hospitals. S.F. 1086, sponsored by Pehler, permits the Bremer Foundation trust to dispose of specific bank assets. S.F. 2117, carried by Diessner, is a technical bill that clarifies that nonlicensed facilities may perform breath tests for alcohol. S.F. 1721, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), provides for the regulation of job listing services in the same manner as employment agencies are regulated. S.F. 995, sponsored by Wegscheid, makes technical corrections, clarifies language and prescribes the powers of industrial loan and thrifts.

## Tuesday, March 22

### HMO bill approved

Senators granted final approval to a bill tightening controls on Health Maintenance Organizations (HMOs) and preliminary approval to another measure effecting HMOs Tues., Mar. 22.

Given final approval as a Special Order was S.F. 1861, authored by Sen. James Pehler (DFL-St. Cloud). The bill requires replacement coverage if an HMO cancels coverage and increases state comprehensive health plan liabilities if a member terminates coverage. It also requires HMOs to notify consumers of changes in services, rates or cancellations.

S.F. 1388, authored by Sen. Linda Berglin (DFL-Mpls.), was given preliminary approval. The bill mandates that HMOs provide consumer information to enrollees, including information regarding the covered services, providers, referrals and emergency services. S.F. 1388 also includes an enrollee bill of rights.

Also granted preliminary approval was S.F. 1744, regulating dangerous or potentially dangerous dogs. The bill, sponsored by Sen. Charles Berg (DFL-Chokio), defines both "dangerous dog" and "potentially dangerous dog" and provides requirements for owners. The bill also provides penalties for owners who do not comply with the law.

Five items from the Consent Calendar were granted final approval. H.F. 2558, carried by Sen. Donna Peterson (DFL-Mpls.), requires that optical voting systems be tested within 14 days before an election. S.F. 1948, authored by Sen. Ronald Dicklich (DFL-Hibbing), allows stepparents married to a custodial parent of a minor to approve the minor's driver's license application. H.F. 81, carried by Sen. Fritz Knaak (IR-White Bear Lake), provides for the use of certain city reserve funds. H.F. 2463, carried by Sen. David Frederickson (DFL-Murdock), authorizes the Iron Range Resources and Rehabilitation Board to buy fire insurance for facilities the board operates. H.F. 1767, carried by Sen. Tad Jude (DFL-Maple Grove), requires notice of foreclosure by advertisement to separately list record owners with no legally protected interest in the real estate.

Senators also gave final approval to the 38 bills they discussed and granted preliminary approval during the Mon., Mar. 21, floor session.

A number of other measures were given preliminary approval during the early afternoon. S.F. 1687, authored by Sen. Bob Lessard (DFL-Int'l Falls), makes changes in laws relating to forestry. S.F. 2090, also authored by Lessard, authorizes the conveyance of land by the commissioner of natural resources to the city of Big Fork. H.F. 2312, carried by Sen. Darril Wegscheid (DFL-Apple Valley), authorizes the commissioner of natural resources to sell certain lands in Itasca county. S.F. 2214, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the commissioner of natural resources to sell certain surplus land to local governments for local recreation or natural resource purposes.

Also given preliminary approval was S.F. 1689, authored by Sen. LeRoy Stumpf (DFL-Plummer), prescribing limits and seasons for angling in the Rainy River. S.F. 1674, authored by Sen. Gregory Dahl (DFL-Coon Rapids), is a technical bill that prescribes criminal penalties for certain violations of pollution control statutes, rules or permits. H.F. 2120, carried by Sen. Gary DeCramer (DFL-Ghent), authorizes the board of a joint vocational-technical district to meet outside of their district boundaries. S.F. 2102, authored by Sen. Carl Kroening (DFL-Mpls.), authorizes the Minneapolis Park and Recreation Board to establish compensation for its members. S.F. 2046, authored by Sen. Jim Vickerman (DFL-Tracy), permits certain cities and towns to contribute to the Schmidt Memorial Hospital in Westbrook. S.F. 1652, sponsored by Knaak, provides for the procedure for the valuation of pension benefits in marriage dissolution proceedings.

## Work continues on General Orders bills

In the late afternoon portion of floor session, twenty-two bills were granted preliminary passage. S.F. 1328, authored by Sen. Ronald Dicklich (DFL-Hibbing), alters the requirements regarding fencing of unused mine pits and shafts. S.F. 1761, sponsored by Sen. John Marty (DFL-Roseville), specifies that operating a vehicle at a speed of 85 miles per hour or 30 miles per hour over the posted speed limit is a misdemeanor. S.F. 1835, carried by Sen. Allan Spear (DFL-Mpls.), modifies the law regarding burglary by specifying that burglary occurs if a person enters a building without consent and commits a crime and provides that it is a felony to possess tools used in theft. S.F. 994, carried by Sen. Marilyn Lantry (DFL-St. Paul), provides for workers compensation coverage for first responders who acquire certain infectious diseases while on the job. S.F. 1304, authored by Sen. Gene Merriam (DFL-Coon Rapids), allows firefighters who acquire specific types of cancer to be covered by

workers compensation. S.F. 2376, sponsored by Sen. Joe Bertram (DFL-Paynesville), is a resolution memorializing the Congress of the U.S. to reinstate diesel fuel tax exemptions for farmers and other off-road users. S.F. 1795, authored by Sen. Donald Storm (IR-Edina), clarifies the language of the statutes regarding administrative hearings for liquor licensure.

S.F. 1700, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), relates to the scheduling of payment of watershed improvement costs. S.F. 1695, carried by Sen. Donna Peterson (DFL-Mpls.), prohibits aversive and deprivation procedures for handicapped children except in the case of an emergency or if the parent is aware of the procedures to be used. S.F. 974, authored by Sen. John Brandl (DFL-Mpls.), is a resolution memorializing the President, Congress and the Federal Aviation Administration to accelerate the modernization of commercial aircraft fleets operating in and to the U.S. by requiring the use of quieter, Stage 2 aircraft. S.F. 1800, carried by Sen. James Pehler (DFL-St. Cloud), exempts certain educational foundations from public disclosure requirements.

S.F. 1882, authored by Spear, requires public school districts who participate in the school lunch programs to provide lactose-reduced or lactose-free meals for lactose intolerant children. Senators adopted an amendment, offered by Spear, to require non-public schools to comply and to include breakfast program participants as well. S.F. 1681, carried by Sen. Michael Freeman (DFL-Richfield), exempts child health supervision services and perinatal care services from any requirement of coinsurance or dollar limitation. S.F. 2097, sponsored by Marty, regulates the distribution of funds to regional art councils and clarifies the conflict of interest provisions in regard to board membership. S.F. 2191, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), modifies the regulations of kennels and dealers of dogs and cats used for research purposes. S.F. 2323, authored by Sen. Darril Wegscheid (DFL-Apple Valley), authorizes banks to invest in the voting stock of the Federal Agricultural Mortgage Corporation.

S.F. 2212, sponsored by Sen. Don Samuelson (DFL-Brainerd), proposes that the state negotiate with the Burlington Northern Railroad Company to acquire the tracks and land from Brainerd to Bemidji in order to complete the Heartland Trail. The senators adopted an amendment, offered by Sen. Howard Knutson (IR-Burnsville), requiring 30 days notice to the residents who own land surrounding the proposed trail. S.F. 2206, authored by Sen. Donna Peterson, requires county community social service plans to address intervention services for handicapped children. S.F. 2150, carried by Sen. Charles Davis (DFL-Princeton), prohibits the state from requiring Indian tribes or bands to deny their sovereignty as a requirement to contract with the state. S.F. 2203, sponsored by Sen. Duane Benson (IR-Lanesboro), authorizes a county to establish an adult protection team similar to the existent child protection teams. S.F. 2456, authored by Sen. Sam Solon (DFL-Duluth), creates a legislative advisory task force to review the efficiency and effectiveness of current energy policies for low-income persons. S.F. 1632, carried by Sen. Fritz Knaak (IR-White Bear Lake), authorizes an erosion and sediment control pilot program to coordinate efforts of watershed districts in Ramsey County.

## Computer crime penalties bill gains

The evening floor session Tues., Mar. 22, was again devoted to discussion and debate of bills listed on the Senate General Orders Calendar. Bills on the General Orders Calendar are considered by members of the Senate acting as one large "committee of the whole." The bills have been heard by one or more standing committees and may be debated and amended. After gaining preliminary passage on the General Orders Calendar, bills are placed on the Senate Calendar. Bills on the Senate Calendar are then considered for final passage.

In all, some 32 bills were granted preliminary passage Tuesday evening. S.F. 1553, authored by Sen. Darril Wegscheid (DFL-Apple Valley), imposes penalties for unauthorized access to computer systems. Under the bill, it would be a felony if the unauthorized access endangers human life. The bill also provides for more serious penalties for repeat violations. The measure is needed, said

Wegscheid, to provide protection for the complex computer systems used throughout society.

Senators also granted preliminary approval to a bill providing for stiffer penalties for fleeing a police officer. The measure, S.F. 1821, authored by Sen. Ember Reichgott (DFL-New Hope), ties the current gross misdemeanor penalty to the forfeiture laws. Under the bill, the vehicle used to flee a police officer would be subject to forfeiture. In addition, the measure provides for development of training procedures for peace officers and requires the reporting of police pursuits to the Dept. of Public Safety.

In other action, preliminary approval was given to the following bills. S.F. 2217, authored by Sen. Steven Novak (DFL-New Brighton), authorizes the transfer of state land in Ramsey County to the city of Mounds View. S.F. 2355, sponsored by Sen. William Belanger (IR-Bloomington), authorizes the cities of Bloomington and West St. Paul to expend and loan public funds for flood mitigation measures to protect homes. S.F. 1661, authored by Sen. Marilyn Lantry (DFL-St. Paul), changes the definition of lawful purpose expenditures for charitable gambling organizations, clarifies the definition of organization, and changes the definition of bingo occasion. S.F. 1932, authored by Sen. Mel Frederick (IR-Owatonna), exempts private carriers of fuel for use in agriculture-related businesses from specific hazardous materials regulations.

S.F. 2243, authored by Sen. Linda Berglin (DFL-Mpls.), provides employment program rights to persons with disabilities and requires the inclusion of the programs in county social services plans. S.F. 1955, sponsored by Novak, authorizes Ramsey County to use land dedicated as open space for highway purposes. S.F. 2292, authored by Sen. Florain Chmielewski (DFL-Sturgeon Lake), authorizes the sale of tax-forfeited lands that border public water in Pine County. S.F. 2289, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the Waste Management Board to enter agreements providing for the development and operation of a wholly or partially state owned stabilization and containment facility. An amendment, offered by Chmielewski, clarifying the definition of responsible person in laws relating to the leaking underground storage tank fund, was attached to the bill.

S.F. 1851, authored by Sen. David Frederickson (DFL-Murdock), provides for emergency communications procedures at anhydrous ammonia tank farms. S.F. 308, authored by Merriam, establishes requirements for dog pounds that convey unredeemed dogs and cats to research institutions and requires dog pounds to post a notice that the animals may be sent to institutions for research. S.F. 1871, authored by Sen. Jim Ramstad (IR-Plymouth), specifies a misdemeanor penalty for making a false allegation of child abuse in order to influence child custody proceedings. S.F. 2119, authored by Sen. Allan Spear (DFL-Mpls.), clarifies the assessment duties of local welfare agencies in child abuse cases and provides for the retention of records in specific circumstances. S.F. 1879, provides penalties for damages for the unauthorized release of domestic animals. S.F. 1830, sponsored by Ramstad, makes it a crime to enter into a contract to serve as the agent of a student athlete or represent a student athlete or professional sports organization in obtaining a professional sports contract with a student athlete before expiration of the student's collegiate eligibility unless the student athlete has executed a waiver of eligibility. S.F. 1735, sponsored by Merriam, provides for restitution for wild animals that are illegally killed or injured and provides for civil penalties.

S.F. 2156, sponsored by Spear, defines "crime" in the law governing the issuance of search warrants to include violation of municipal ordinances as well as violation of state law. S.F. 30, authored by Belanger, requires health professionals to report burn injuries to the Dept. of Public Safety. S.F. 2017, sponsored by Sen. Linda Berglin (DFL-Mpls.), authorizes the Gillette Children's Hospital to incorporate as a nonprofit corporation in order to affiliate with an organization and become a sister hospital to Minneapolis Children's Hospital. S.F. 2245, also sponsored by Berglin, authorizes the Health Dept. to participate in a blind epidemiologic study, along with 30 other metropolitan areas, on the HIV virus and provides for studies about testing and counseling procedures. S.F. 335, authored by Sen. John Brandl (DFL-Mpls.), authorizes physical therapy treatment without referral by a

physician. S.F. 1769, sponsored by Reichgott, makes changes in the state Human Rights laws by clarifying marital status and housing discrimination and making procedural and administrative changes. S.F. 2395, sponsored by Sen. Richard Cohen (DFL-St. Paul), requires a notice of meetings or elections to inform members of nonprofit corporations whether proxy voting is permitted and provides that proxies are prohibited unless authorized by the corporations' articles or bylaws. S.F. 2266, also sponsored by Cohen, authorizes counties to establish pilot programs for the appointment of child intermediaries in adult criminal court child abuse cases. S.F. 2255, authored by Sen. Jim Vickerman (DFL-Tracy), extends certain benefits under the family farm security act.

S.F. 2009, authored by Berglin, modifies and clarifies provisions for the collection and enforcement of child support, clarifies rights of non-custodial parents, provides for grandparent visitation rights in all family law proceedings and clarifies and modifies provisions relating to pension plan rights in marriage dissolution proceedings. S.F. 2226, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), makes numerous housekeeping changes in statutes governing advisory councils, committees and task forces. S.F. 2384, authored by Sen. Robert Schmitz (DFL-Jordan), provides for payment to farm implement retailers by successor in interest of the manufacturer, wholesaler, or distributor who repurchases stock and inventory. S.F. 2096, also sponsored by Schmitz, regulates the business relations between manufacturers of agricultural equipment and the independent retail dealers of agricultural equipment. S.F. 2235, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), regulates the location of workers compensation medical examinations to within 150 miles of the injured workers home. S.F. 2452, sponsored by Sen. James Metzen (DFL-South St. Paul), provides that bomb disposal workers are state employees for workers compensation and tort claims purposes when disposing of bombs outside the jurisdiction of their municipal employer.

Finally, Senators granted concurrence and repassage to S.F. 187, authored by Sen. Randolph Peterson (DFL-Wyoming), a bill that makes changes in the laws governing self-service storage facilities. In addition, the Senate adopted the conference committee report and granted final passage to S.F. 1575. The measure, sponsored by Sen. Charles Berg (DFL-Chokio), clarifies language relating to the sale of trout and salmon stamps and language relating to senior citizen fishing licenses.

## Wednesday, March 23

### Final, preliminary approval given bills

Senators granted preliminary approval to a number of measures on the General Orders Calendar during the early afternoon portion of the Wed. Mar. 23, floor session.

S.F. 2491, authored by Sen. William Luther (DFL-Brooklyn Park), establishes various requirements for metropolitan agencies in regard to organization, work programs, budgets, and reports. S.F. 1610, authored by Sen. Joe Bertram, Sr., (DFL-Paynesville), provides for specific service signs relating to rural agricultural businesses and places of worship to be displayed along highways. S.F. 2525, authored by Sen. Linda Berglin (DFL-Mpls.), is a resolution memorializing the President and Congress to enact a program of national health insurance. S.F. 1788, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for the simplification of various filings within the Secretary of State's office. S.F. 1540, authored by Sen. Gary Laidig (IR-Stillwater), changes the membership of the sentencing guidelines commission.

Preliminary approval was also given to S.F. 2071, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), requiring the submission of a neighborhood impact statement as part of the presentence investigation report for controlled substance offenses. S.F. 752, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for the registration of pharmacies and the licensing of pharmacists. S.F. 2185, authored by Pogemiller, restores the duties of the state treasurer that were removed by the Legislature in 1985. S.F. 1573, authored by Sen. Duane Benson (IR-Lanesboro), allows children age 12 to 16, with the proper training, to get turkey licenses.

Senators also granted final approval to the measures given preliminary approval Tues., Mar. 22, with the exceptions of S.F. 1687, S.F. 2046, S.F. 2212, and S.F. 2156, which had been sent to the Secretary of the Senate for comparison with their house companions.

Also approved was Senate Resolution 115, proclaiming April 9 as American Ex-Prisoner of War Recognition Day in Minnesota.

### Alternative "living will" amendment adopted

Senators devoted most of the afternoon floor session to the discussion of the "living will" legislation on the Special Orders Calendar. S.F. 1861, authored by Sen. Clarence Purfeerst (DFL-Faribault), provides for a written advance declaration, by a competent adult, directing future health care decisions. Under the bill, the declaration is legally binding and removes criminal and civil liability from health care providers who act according to the advance directives and within the limits of reasonable medical practice. In addition, the bill recognizes a declaration made in another state. Purfeerst pointed out that 39 other states have "living will" legislation and that S.F. 1861 is supported by a variety of health care groups and senior citizen organizations. The bill also expressly prohibits mercy killing, euthanasia, and suicide.

Sen. Gene Waldorf (DFL-St. Paul) offered an amendment which substantially limits the "living will" legislation. According to Waldorf's alternative "living will" language, the will would not go into effect unless the patient has been diagnosed as having a terminal illness. Furthermore, nutrition and hydration cannot be withheld unless the patient is in a terminal condition and death is imminent or if the patient, after having been diagnosed with a terminal illness, receives information sufficient to establish informed consent and voluntarily decides to have a specific form of medical care or nutrition and hydration withheld or withdrawn.

Waldorf's amendment does not provide immunity for health care providers from civil and criminal liability. In addition, the amendment does not make reference to residents of mental health facilities or chemical dependency facilities.

The amendment was adopted by a vote of 36-30. Purfeerst then progressed the newly amended bill and postponed any further action.

In other action on the Special Orders Calendar, Senators gave final passage to S.F. 1486, authored by Sen. James Pehler (DFL-ST. Cloud), providing reporting and disclosure requirements for railroad acquisitions and preserving contracts between acquiring railroad carriers and shippers and governmental entities. The bill passed by a vote of 54-0.

# Preview

## The Minnesota Senate Week at a Glance

**Monday, March 28, 1988**

**Taxes and Tax Laws Committee Property Taxes and Local Government Aids Division, Chair: Steven Novak**  
9:00 AM Room 15 Capitol

**Agenda:** Continuation of discussion of Senate property tax proposal.

**Tuesday, March 29, 1988**

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

**Agenda:** S.F. 2540-Chmielewski: Workers compensation. S.F. 2428-Chmielewski: Workers compensation.

**Please call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504 for information about additional committee meetings and conference committee meetings. It is anticipated that the Taxes and Tax Laws Committee will be meeting in the evening of March 28 and the morning of March 29. It is also anticipated that the Senate will meet on March 28, 29, and 30. Details were not available at press time.**

### 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.

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# MINNESOTA STATE SENATE

## Senate Members — 1988 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	111 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.	65
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
IR	0415	Decker, Bob	15150B	4	DFL	9248	Piper, Pat	325 Cap.	31
DFL	6820	DeCramer, Gary M.	303 Cap.	27	DFL	7809	Pogemiller, Lawrence J.	306 Cap.	58
DFL	2859	Dicklich, Ronald R.	235 Cap.	5	DFL	4167	Purfeerst, Clarence M.	303 Cap.	25
DFL	8298	Diessner, A.W. "Bill"	326 Cap.	56	IR	9251	Ramstad, Jim	123 SOB	45
DFL	2877	Frank, Don	G-10 Cap.	51	DFL	2889	Reichgott, Ember D.	G-9 Cap.	46
IR	4123	Frederick, Mel	119 SOB	30	IR	4125	Renneke, Earl W.	117 SOB	35
DFL	5640	Frederickson, David J.	G-24 Cap.	20	DFL	4875	Samuelson, Don	124 Cap.	13
IR	8138	Frederickson, Dennis R.	143 SOB	23	DFL	7157	Schmitz, Robert J.	235 Cap.	36
DFL	9307	Freeman, Michael O.	122 Cap.	40	DFL	4188	Solon, Sam G.	303 Cap.	7
IR	4314	Gustafson, Jim	115 SOB	8	DFL	4191	Spear, Allan H.	G-27 Cap.	59
DFL	4183	Hughes, Jerome M.	328 Cap.	54	IR	6238	Storm, Donald A.	125 SOB	42
IR	3826	Johnson, Dean E.	105 SOB	15	DFL	8660	Stumpf, LeRoy A.	306 Cap.	1
DFL	8881	Johnson, Douglas J.	205 Cap.	6	IR	9457	Taylor, Glen	103 Cap.	28
DFL	4248	Jude, Tad	G-28 Cap.	48	DFL	5650	Vickerman, Jim M.	G-29 Cap.	28
IR	1253	Knaak, Fritz	149 SOB	53	DFL	3809	Waldorf, Gene	124 Cap.	66
IR	4120	Knutson, Howard A.	121 SOB	38	DFL	8091	Wegscheid, Darril	309 Cap.	37
DFL	4302	Kroening, Carl W.	124 Cap.	57					
IR	4351	Laidig, Gary W.	124 Cap.	57					
DFL	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					
IR	5655	Larson, Cal	145 SOB	10					

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# Briefly

## The Minnesota Senate Week in Review

April 1, 1988

### Ed funding bill approved

Senators gave final approval to H.F. 2245, the education funding omnibus bill, early in the evening, Friday, March 25. The \$19.3 million bill, carried by Sen. Randolph W. Peterson (DFL-Wyoming), differs substantially from its companion bill in the other body.

Major appropriations in the bill include desegregation grants for Minneapolis, St. Paul and Duluth (about \$11.6 million) and funding a special education deficiency (about \$6 million). It also appropriates \$900,000 to expand AIDS education programs.

A key provision in the bill expands the open enrollment program currently in effect. School boards would be able to refuse to allow nonresident students to attend school in the district, but would not be able to refuse to allow resident students to attend school in another district. The provision was added in committee by an amendment sponsored by Sen. Ember Reichgott (DFL-New Hope).

Another important provision of the bill expands the definition of an American Indian child and requires that districts with ten American Indian students actively recruit American Indian teacher applicants. This portion of the bill also establishes an Indian school council to develop recommendations for Indian public schools, an urban Indian school district or districts, or other means of achieving Indian control of Indian education. The bill also appropriates money to assist American Indians become teachers.

### Workers' comp bill gains

A major workers' compensation reform bill was approved on an 8-3 roll call vote at the final meeting of the Senate Employment Committee, Tuesday, March 29. According to chief author, Sen. Florian Chmielewski (DFL-Sturgeon Lake), the bill is designed to provide for a total premium reduction of about 15 percent.

Under the bill, the benefit formula is changed to 80 percent of spendable wages; attorneys' fees are limited to \$6,500; benefits are altered for temporary total and temporary partial disability; the requirement for mandatory use of QRCs is eliminated; provides for social security offset coordination with supplemental benefits; medical fees, except for hospitals, are frozen for two years; administrative costs are moved from the special fund to the state general fund; partial regulation of insurance rates is reinstated; the Workers Compensation Court of Appeals is abolished; and studies on medical costs, neutral doctors, legal fees and the QRC system are mandated.

Two amendments were offered to the measure. The first, offered by Sen. Don Frank (DFL-Spring Lake Park), substituted the administration's workers' compensation reform plan for S.F. 2428. The motion failed on a 4-7 roll call vote. The second amendment, also offered by Frank, substituted the administration's proposal for regulation of the workers compensation insurance companies for the regulation contained in the bill also failed on a roll call vote. The bill was then approved and re-referred to the Committee on Rules and Administration.

### Highway funding bill reconsidered, approved

A motion to reconsider the vote that had defeated the highway

funding bill was approved by members of the Senate Tuesday, March 29. The adoption of that motion brought the bill back before the Senate for further action during the Tuesday evening floor session. H.F. 1749, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), provides \$157 million for highway funding. The measure also includes a three cent per gallon gasoline tax increase, a one-time \$71.5 million general fund appropriation, an increase in the cost of vehicle registration by extension of the formula for declining fees, and an increase in the cost of dealers' license plates.

The issue of dealers' license plates sparked a series of amendments, offered by Sen. Randolph Peterson (DFL-Wyoming), to increase the fee for dealers' plates. None of the amendments gained approval. However, an amendment, offered by Sen. Lyle Mehrkens (IR-Red Wing), that made the bill almost identical to the House version was adopted on a close 33-32 roll call vote. The Mehrkens amendment included the permanent transfer of highway funds. Members of the majority, however, quickly moved to reconsider the vote and the amendment was removed from the bill. Sen. Duane Benson (IR-Lanesboro), then offered an amendment to require the use of ethanol gasoline in the metro area by 1991. That amendment also failed on a roll-call vote of 30-35. The bill then gained final passage on a narrow 34-31 roll call vote.

### Omnibus tax bill advances

The omnibus tax bill, S.F. 2260, containing massive changes in the state's property tax system, gained Taxes and Tax Laws Committee members support, Monday, March 28 and was heard by the full Senate Wednesday, March 30.

Sen. Douglas Johnson (DFL-Cook), chair of the committee and sponsor of the bill, said the property tax reform provisions reduce property taxes by about six percent, simplify the system, equalize the tax burdens across the state and provide \$174 million in tax relief to homeowners and businesses.

Another major area of the bill is a corporate and individual income tax article, approved by the Income Tax Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) at a morning meeting on March 28. The property tax article was also approved March 28 by the Property Tax and Local Government Aids Division, chaired by Sen. Steven Novak (DFL-New Brighton). A third major portion of the bill, the sales tax article, was approved March 15 by the Sales Tax Division, chaired by Sen. LeRoy Stumpf (DFL-Plummer).

Following a review of the 274-page bill by Keith Carlson, fiscal analyst for the committee, the members acted on over 30 amendments to the measure.

Major amendments adopted included increasing the statutory budget reserve from \$250 million to \$300 million; allowing additional property tax reductions in cities bordering other states to make them more competitive economically; exempting transitional housing for battered women from property taxes; repealing a 1987 provision requiring restaurants to collect sales taxes on meals provided to employees; and permitting the state fair board to keep sales taxes collected with gate receipts for capital improvements on the fair grounds provided the board match the revenues raised through the sales tax by other means.

# Committee Capsule

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## Finance

### Emission inspection bill amended

Once again, Sen. Ember Reichgott's (DFL-New Hope) vehicle inspection bill, S.F. 1783, was the focus of heated debate. The controversy in the Finance Committee, Fri., Mar. 25, revolved around the "ethanol amendment" adopted to the bill, against the author's wishes, during a previous hearing in the Agriculture Committee. The amendment requires unleaded gasoline with an octane rating of 90 or less to contain an oxygen blend consisting of 3.5 percent. Currently, ethanol is the only oxygenate approved by the EPA that meets the 3.5 percent standard. The ethanol provision was deleted from the bill by a 13-12 vote. The bill was then approved by the committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), and sent to the floor.

As amended, the measure requires annual inspection of motor vehicle emission control equipment on vehicles registered in the metropolitan area. According to Reichgott, the bill limits emission inspections to cars manufactured after 1976. Vehicle owners will be required to pay up to \$10 for the inspection.

Other committee action included approval of the \$25.9 million health and human services omnibus appropriations bill. The omnibus bill includes appropriations of \$1.3 million for Head Start programming and \$3.2 million for an expanded medical assistance program for pregnant women and infants up to one year of age with an income up to 185 percent of the federal poverty guidelines.

S.F. 2141, carried by Sen. Douglas Johnson (DFL-Cook), was also approved after a lengthy discussion and forwarded to the full Senate. The measure ratifies and affirms the settlement agreement arising from litigation addressing treaty related claims of the Chippewa Indians. The bill appropriates, on an annual basis, \$5 million to the Chippewa Indians for giving up exclusive hunting and fishing rights on ceded lands.

According to opponents of the bill, tribal opposition to the measure is growing day-by-day, and the sale is not ready to be consummated. Proponents of the bill argued that the state should not involve itself in tribal governance disputes.

### Fourteen bills gain approval

During an early morning and a late evening meeting of the Finance Committee, Mon., Mar. 28, fourteen bills were approved and sent to the floor.

The \$20.9 million higher education omnibus appropriations bill was presented by Sen. Gene Waldorf (DFL-St. Paul). The bill appropriates \$6.5 million to the HECB, \$1 million to the technical institutes, \$6 million to the community college system, and \$7.4 million to the state university system.

S.F. 1430, carried by Sen. Gregory Dahl (DFL-Coon Rapids), establishes the cigarette fire safety act and prohibits the sale of cigarettes and little cigars that do not meet fire safety standards.

S.F. 1891, sponsored by committee chair, Gene Merriam (DFL-Coon Rapids), addresses waste management. Provisions in the bill include specifying responsibilities of the Legislative Commission on Waste Management, banning used oil from placement on the land, and creating additional loan and grant programs for waste tire management. The most controversial provision of the bill discontinues a search to find new landfill sites in the metropolitan area. An amendment offered by Sen. Jim Ramstad (IR-Minnetonka), extending the search for landfill sites, was defeated.

Embodied in S.F. 2111, authored by Sen. Steven Novak (DFL-New Brighton), are changes to the Pipeline Safety Act enacted last session. The measure authorizes the Office of Pipeline Safety to inspect and regulate intrastate pipeline facilities carrying liquefied natural gas, liquefied petroleum gas, and hazardous liquids.

Sponsored by Sen. Michael Freeman (DFL-Richfield), S.F. 2025 regulates the business of mortgage bankers, loan officers, and general and individual mortgage brokers. It also establishes licensing requirements for mortgage bankers, loan officers, and general and individual mortgage brokers.

S.F. 1912, also carried by Freeman, requires the commissioner of health to implement an infant formula rebate system for the W.I.C. program. The measure also establishes a local income assistance grant program to increase the use of food stamps by homeless individuals.

Authorization for the expenditure of up to \$236,859 for the acquisition or construction of Duluth's Western Waterfront Trail is contained in S.F. 2434, sponsored by Sen. Sam Solon (DFL-Duluth).

The Dept. of Administration omnibus bill is carried in S.F. 2059, authored by Sen. Donald Moe (DFL-St. Paul). The omnibus bill includes increasing the powers of the State Board of Community Colleges and enacting and repealing certain laws administered by the Dept. of Administration.

Sponsored by Dahl, S.F. 1462 creates a low-income housing trust fund account, and S.F. 1863 provides payment for claims against the state.

S.F. 2398, sponsored by Sen. William Luther (DFL-Brooklyn Park), addresses the statewide computerized voter registration system. The measure establishes the voter registration account in the state treasury and establishes county requirements for a duplicate registration file. It also changes certain procedures related to registration cards, files and records.

S.F. 2465, also carried by Luther, amends the authority of the Minnesota Amateur Sports Commission and authorizes the commission to establish nonprofit corporations and charitable foundations.

S.F. 1840, sponsored by Sen. Ronald Dicklich (DFL-Hibbing), and S.F. 1809, authored by Sen. John Marty (DFL-Roseville), relate to telephone service. S.F. 1809 requires the commissioner of human services to assist in implementing a program providing telephones to communication-impaired persons. S.F. 1840 combines local telephone service surcharges for 911 service, telephone access for hearing impaired, and the telephone assistance plan into one surcharge. Additionally, the bill extends eligibility for telephone assistance to low-income disabled persons. After debating the explanation of the surcharge on telephone bills, the committee decided that the surcharge shall be explained as 911/improved access.

### DWI bill approved

Under provisions in Sen. Allan Spear's (DFL-Mpls.) bill, S.F. 392, repeat DWI offenders will be severely penalized. According to Spear, who presented the measure to the Finance Committee, Tues., Mar. 30, after three DWI convictions within five years or four DWI convictions within ten years, offenders will be required to surrender registration plates and registration certificates of any vehicle owned by, registered, or leased in the name of the violator, including vehicles registered or leased jointly. The bill was unanimously approved and sent to the floor.

The committee also approved and sent H.F. 1709 to the floor. The bill, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), is the omnibus retirement and pension bill for state employees. Two major provisions of the bill were discussed by the committee. The first provision changes the normal retirement age from 65 to 62. The second provision alters the retirement annuity formula. The new formula determines the amount of retirement annuity to which an employee is entitled by taking the the employee's average salary and multiplying the average salary by 1.5 percent for each later year of allowable service, prorating the average salary for completed months less than a full year.

### Constitutional amendment approved

By approval of the Finance Committee, Wed., Mar. 31, an amendment to the state constitution establishing a Minnesota Environment, Natural Resources, and Wildlife Trust Fund through state contributions will be submitted to voters at the November 1988 election. The bill, S.F. 2000, sponsored by Sen. Roger Moe (DFL-Erskine), was re-referred to the Rules and Administration Committee.

A vote was divided on an amendment offered by Sen. Darril Wegscheid (DFL-Apple Valley). Adopted by a 15-7 vote, the first part of the amendment dedicates receipts from a potential lottery to the Environmental Trust Fund and the GMC. Specifically, the amendment dedicates one-half of the net lottery proceeds to the Environmental Trust Fund and one-half to the GMC. According to Moe, a lottery would bring in approximately \$50 million in annual receipts.

The committee also approved borrowing \$75 million dollars from the GMC to finance the highway funding bill passed last night on the Senate floor.

## Taxes and Tax Laws

### Sales use tax exemption okayed

The Taxes and Tax Laws Committee, Fri., Mar. 25, approved a bill that exempts state universities, colleges and hospitals from the sales tax on purchases by non-profit institutions passed by the Legislature last year. S.F. 1799, carried by Sen. James Pehler (DFL-St. Cloud) will save the institutions approximately \$10 million in tax payments to the state, according to Dorothy McClung of the Dept. of Revenue. The provision will take effect July 1.

The committee, chaired by Sen. Douglas Johnson (DFL-Cook), also approved several bills establishing special financing districts. H.F. 2524, authored by Sen. Ember Reichgott (DFL-New Hope), establishes a tax increment financing district in Virginia and contains provisions for tax increment financing projects statewide. The committee adopted an amendment to the bill, offered by Sen. Linda Berglin (DFL-Mpls.) limiting the establishment of tax increment districts to areas meeting the state statutory definition of "blight."

H.F. 1865, sponsored by Sen. Fritz Knaak (IR-White Bear Lake), allows the town of White Bear Lake to establish an Economic Development Authority with the same powers and duties granted to cities. H.F. 1224, carried by Johnson, permits the establishment of a Joint Economic Development Authority in Cook County. S.F. 1297, authored by Sen. Dennis Frederickson (IR-Morgan), allows the city of Redwood Falls to establish a port authority. S.F. 765, carried by Sen. Lyle Mehrkens (IR-Red Wing), grants Cannon Falls the authority to establish a port authority. S.F. 105, sponsored by Sen. Majority Leader Roger Moe (DFL-Erskine), permits counties to impose levies for payments to soil and water conservation districts. H.F. 2306, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), authorizes the Minnesota Public Facilities Authority to issue revenue bonds to make loans for wastewater treatment and water supply systems.

In other action, the committee approved S.F. 1968, carried by Sen. John Bernhagen (IR-Hutchinson), defining instances when local governments may use unencumbered general funds for tax increment district loans requiring matching funds. S.F. 1963, sponsored by Pogemiller, outlines the requirements for the issuance and use of public debt. H.F. 2063, sponsored by Sen. Steven Morse (DFL-Dakota), provides for the refinancing of the existing debts of non-profit housing programs for certain low-income groups.

S.F. 1142, sponsored by Reichgott, permitting the establishment of special service districts in Robbinsdale and Minneapolis was discussed and laid over for consideration at a future meeting.

### Fiscal disparities bill approved

A bill making changes in the Metropolitan Revenue Distribution Act of 1971, also called the "fiscal disparities" law, was approved on a 14 to 7 roll call vote by the Taxes and Tax Laws Committee, Tues., Mar. 29.

Under the bill, changes in the revenue distribution system will include the addition of utility property and manufactured homes to a municipality's contribution values; a reduction of the current 40 percent contribution rate to 30 percent by yearly increments; the elimination of minimum population provisions; abolition of the Municipal Equity Account; and changes in the definition of commercial-industrial property. Sen. Ember Reichgott (DFL-New Hope), author of the bill, S.F. 1134, was successful with an

amendment to attach the language of her bill onto S.F. 2117, carried by Sen. Lawrence Pogemiller (DFL-Mpls.). The amendment was approved on an 11 to 9 roll call vote despite Pogemiller's opposition.

S.F. 2117 is a bond allocation bill, providing conditions and restrictions for local and state government bonding projects and establishing a volume cap on projects. Pogemiller voted against his bill, which was approved on a 12-8 roll call vote, after the amendment was adopted.

The committee, chaired by Sen. Douglas Johnson (DFL-Cook), held a second brief meeting in the evening to approve S. F. 1382, a bill adding federal campaign contribution check-offs to state income tax statements and establishing congressional campaign spending limits. According to the bill, campaign spending limits for U.S. Representative candidates are set at \$400,000 and for U.S. Senate candidates \$4 million. Sen. William Luther (DFL-Brooklyn Park) sponsored the measure.

## Thursday, March 24

### Senators debate campaign financing

The bulk of the early afternoon floor session Thurs., Mar. 24, was devoted to discussing S.F. 2021, authored by Sen. John Marty (DFL-Roseville). The bill, which was granted preliminary approval, requires that contributions to a candidate by individual members of a political fund or committee which are solicited by the fund or committee must be reported as attributable to that fund or committee.

The bill also changes the laws regarding public financing of campaigns. Currently, candidates must agree to voluntary spending limits in order to receive a public subsidy. Under Marty's bill, a candidate whose opponent did not agree to the limits would still receive public financing, but would no longer have to abide by the limits.

A controversial amendment, offered by Sen. Steven Morse (DFL-Dakota) and approved by the Senate, adds that the total amount from the general account designated for that office in that district must be distributed to the candidates for the office in the district who have agreed to the spending limits and are eligible for money from the general account.

A number of other amendments regarding campaign financing were introduced. The only other amendment approved was offered by Sen. Charles Berg (DFL-Chokio). The amendment prohibits a registered lobbyist, political committee or political fund from making contributions to a candidate for state legislature during a regular session of the legislature.

In other action, Senators gave final approval to all of the Senate Files they had given preliminary approval the previous day. Also given final approval were H.F. 2155, carried by Sen. Don Samuelson (DFL-Brainerd), revising provisions relating to the Heartland Trail and establishing the Paul Bunyon Trail; and H.F. 2190, carried by Sen. Jim Vickerman (DFL-Tracy), permitting certain cities and towns to contribute to the Schmidt Memorial Hospital in Westbrook.

Given final approval on the Consent Calendar was H.F. 1961, carried by Sen. William Luther (DFL-Brooklyn Park), setting the effective date of the uniform statutory rule against perpetuities.

Also given preliminary approval during the early afternoon were H.F. 1904, carried by Sen. Bob Lessard (DFL-Int'l. Falls), which defines the word "restaurant" for purposes of county liquor licenses. S.F. 1834, authored by Sen. Joe Bertram (DFL-Paynesville), prohibits water utilities from imposing additional standby charges on owners of structures containing fire protection systems. S.F. 1885, authored by Sen. Donna Peterson (DFL-Mpls.), which regulates certain building alterations. H.F. 1819, carried by Marty, authorizes tenants to pay for certain utilities and deduct the payments from rent due.

Nine bills were given preliminary approval in the late afternoon floor session. S.F. 2165, authored by Sen. Gregory Dahl (DFL-Coon Rapids), requires persons to notify the Pollution Control Agency of and take steps to avoid air pollution. S.F. 2402, sponsored by Sen.

# Floor Action

Randolph Peterson (DFL-Wyoming), incorporates a number of surveillance provisions into MN statutes to conform with federal wiretap regulations. S.F. 1827, carried by Sen. Keith Langseth (DFL-Glyndon), clarifies legislative intent by requiring the fee for applications for quarterly reporting of fuel tax to be deposited in the highway user tax distribution fund.

S.F. 2286, authored by Sen. Randolph Peterson (DFL-Wyoming), provides for changes in the environmental impact statement law and the Environmental Quality Board. S.F. 1060, carried by Sen. Gary DeCramer (DFL-Ghent), provides for brakes on motor vehicles manufactured after June 30, 1988, to be in compliance with federal law. S.F. 1727, sponsored by Sen. Pat Piper (DFL-Austin), corrects conflict in present law by allowing the Dept. of Jobs and Training and the Dept. of Human Services to share data when it is in the best interest of the client. S.F. 2275, carried by Sen. Richard Cohen (DFL-St. Paul), is a recodification of juvenile laws and establishes the term "child in need of protection and services". S.F. 2023, sponsored by Sen. Linda Berglin (DFL-Mpls.), requires recordation of transfers of contracts for deed. S.F. 2122, authored by Sen. Randolph Peterson, proposes classifications of data as private and nonpublic and provides for patient access to medical records in certain circumstances.

## Interstate banking change measure gains

A bill increasing the number of states that could enter into reciprocal banking agreements with Minnesota gained preliminary approval during the evening floor session Thurs., Mar. 24. The bill, S.F. 203, sponsored by Sen. Michael Freeman (DFL-Richfield), expands the number of states from 5 to 17. Most of the debate, however, centered on an amendment, offered by Sen. Jim Vickerman (DFL-Tracy), limiting the ability of large banking companies to purchase banks. According to Vickerman, at the present time the amendment would only apply to the First Bank System. The amendment was not adopted.

In other action Thursday evening, members of the Senate continued work on the General Orders Calendar. Several bills authorizing the conveyance of state land were among the 27 bills gaining preliminary approval. H.F. 2046, sponsored by Sen. Mel Frederick (IR-Owatonna), directs the sale and conveyance of state land adjacent to the freeway to the city of Owatonna. H.F. 2025, sponsored by Sen. Douglas Johnson (DFL-Cook), authorizes the private sale of tax-forfeited land in St. Louis County. H.F. 2109, also carried by Johnson, also authorizes the private sale of tax-forfeited land in St. Louis County. H.F. 2490, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), conveys title to state land in Kittson County. H.F. 2637, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), permits the sale of specific tax-forfeited land in the city of Farmington.

In addition, Senators granted preliminary approval to the following measures. S.F. 2003, sponsored by Sen. Donald Moe (DFL-St. Paul), provides for salary ranges for state employees, clarifies requirements for submitting salaries for legislative approval, clarifies salary limits and makes other technical changes in laws relating to the Dept. of Employee Relations. An amendment, offered by Moe, authorizing a five percent salary increase for the supervising judge of the workers' compensation settlement judges was adopted. H.F. 1950, authored by Sen. A. W. "Bill" Diessner (DFL-Afton), raises the limit on watershed districts borrowing authority from \$50,000 to \$200,000. H.F. 1877, sponsored by Sen. Donna Peterson (DFL-Mpls.), alters provisions relating to the labor-management committee grant program.

H.F. 2000, carried by Sen. Jim Ramstad (IR-Minnetonka), requires a judgement creditor to file satisfaction of judgment documents with the court administrator within ten days of judgment satisfaction. An amendment, offered by Sen. Tad Jude (DFL-Maple Grove), expands the time period to 30 days when the judgement is satisfied by check or non-certified funds in order to allow time for the check to clear. In addition, Ramstad offered an amendment allowing the Supreme Court to answer questions by the U.S. Bankruptcy Court that was adopted. S.F. 1817, authored by Sen. Douglas Johnson, provides that revenue in the Independent School

District No. 710 bond redemption fund may be used to refinance at a lower interest rate. H.F. 2554, also carried by Johnson, allows noncontiguous school districts to consolidate. H.F. 1966, sponsored by Sen. William Belanger (IR-Bloomington), provides for the filing requirements of variances to real property.

H.F. 2529, sponsored by Sen. Sam Solon (DFL-Duluth), defines importers as brewers in the beer wholesaling act. H.F. 1748, also carried by Solon, permits equal access to public accommodations for handicapped persons using a service dog. S.F. 1940, authored by Solon, excludes publicly owned transit buses in Duluth from certain definitions of school bus. H.F. 1795, sponsored by Sen. Linda Berglin (DFL-Mpls.), creates a task force to study building code standards for family and group family day care homes. An amendment, offered by Sen. Donna Peterson (DFL-Mpls.), permitting the use of double cylinder dead-bolt locks in residential buildings was approved. H.F. 2372, also carried by Berglin, sets forth goals for regional treatment centers in the continuum of mental health services. H.F. 2132, sponsored by Berglin, authorizes a representative payee for general assistance to drug dependent persons.

H.F. 1589, authored by Tad Jude (DFL-Maple Grove), provides a restriction on the duration of conditions affecting certain real property and provides an exemption for the city of North Oaks. H.F. 1534, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), changes the education and licensing requirements for registered barbers and registered apprentice barbers. H.F. 2469, sponsored by Stumpf, regulates the sale of anhydrous ammonia by permitting the sale by use of a temperature correctable liquid measure rather than sale by weight. H.F. 1980, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), designates I-90 as AMVETS Memorial Highway. H.F. 2735, carried by Sen. Jim Vickerman (DFL-Tracy), is a resolution memorializing the President to immediately direct the Secretary of Agriculture to halt the forced movement of farmer-owned reserve grains to commercial warehouses. H.F. 2615, sponsored by Sen. Darril Wegscheid (DFL-Apple Valley), grants a temporary license to the Apple Valley Medical Clinic. S.F. 2390, authored by Sen. John Brandl (DFL-Mpls.), provides environmental goals for the Metropolitan Airports Commission.

## Friday, March 25

### Bills approved, General Orders discussed

In addition to approving the education funding omnibus bill Fri., Mar. 25, Senators granted final approval to all of the bills given preliminary approval the previous day, with the exceptions of S.F. 1817, S.F. 1060 and S.F. 2023, which had been sent to the Secretary of the Senate for comparison to their House companions. Final approval was also given to H.F. 2419, carried by Sen. Allan Spear (DFL-Mpls.), defining "crime" in the law governing issuance of search warrants to include violations of municipal ordinances; and H.F. 2272, carried by Sen. Bob Lessard (DFL-Int'l. Falls), making changes in certain laws relating to forestry.

Senators gave preliminary approval to two items on the General Orders Calendar: H.F. 2018, carried by Sen. Charles Berg (DFL-Chokio), which clarifies and imposes penalties for violations relating to diseased animals that are under the jurisdiction of the Board of Animal Health and H.F. 2059, carried by Sen. Donna Peterson (DFL-Mpls.), requires the defendant to prove elements of the defense in parental rights deprivation cases.

## Monday, March 28

### Highway funding bill falters; semi-states bill gains

A bill providing \$157 million for highway funding was rejected on a close 32-33 roll call vote late Monday afternoon during the Senate floor session. The bill, H.F. 1749, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), contains provisions for a three cent per gallon gasoline tax increase, an indexing formula for the gasoline

tax, an increase in the annual cost of vehicle registration by extension of the formula for declining fees and a one-time general fund appropriation of \$71.5 million.

Floor debate on the measure centered on an amendment, offered by Sen. William Luther (DFL-Brooklyn Park), calling for a two year study of transportation needs to be conducted by the Joint Fiscal Policy Planning Committee. Opponents of the amendment argued that a section of the amendment mandating consideration of whether to turn some state highways back to the control of local units of government would cause sharp increases in property taxes. Luther subsequently changed the amendment to eliminate reference to jurisdictional issues and the amendment was adopted.

Although the bill failed to gain enough votes for passage, Purfeerst indicated that the issue would be before the Senate again soon.

The omnibus semi-states appropriation bill was also considered Monday afternoon. The bill, S.F. 2565, was designated a Special Order and was given final passage on a vote of 64-0. Sen. Keith Langseth (DFL-Glyndon), chair of the division that drafted the measure, said that the bill contained a total of \$2.565 million in appropriations for various semi-state agencies. Under the measure, \$1.9 million is appropriated to the Dept. of Public Safety for disaster assistance under the presidential declaration of a major disaster; \$291,300 is appropriated to the Charitable Gambling Control Board for increased enforcement; \$433,700 is appropriated to the Board of Water and Soil Resources for comprehensive local planning; \$50,000 is appropriated to the State Board of the Arts for grants to handicapped arts organizations; and \$10,000 is appropriated to assist veterans in the preparation and presentation of claims for the Military Order of the Purple Heart.

## Outdoor bill debated

Senators granted preliminary approval to a number of items on the General Orders calendar Mon., Mar. 28. Most of the discussion focused on the unofficial engrossment of H.F. 2265, sponsored by Sen. Charles Berg (DFL-Chokio), making numerous changes to hunting and fishing laws.

H.F. 2265 allows the commissioner of natural resources to issue a special permit, without a fee, to take small game except waterfowl with a crossbow to a person who can't hunt by archery due to a permanent physical disability. Also included in the bill is authorization for the commissioner to prescribe a crow season and a provision authorizing landing nets that discharge an electric current.

Senators also discussed and added a number of amendments to the measure. Sen. Dean Johnson (IR-Willmar) offered an amendment, which was amended by Sen. Linda Berglin (DFL-Mpls.), that adds residents of nursing homes and licensed group homes to the list of people who may take fish by angling without a license. However, they must have the written consent of the superintendent or chief executive of the institution.

Senators rejected a portion of an amendment, offered by Berg, that would have established an experimental mourning dove season.

Other measures given preliminary approval include H.F. 2049, carried by Sen. Gregory Dahl (DFL-Coon Rapids), which clarifies legislative intent regarding certain motor vehicle coverages. H.F. 2020, carried by Sen. John Marty (DFL-Roseville), encourages settlements prior to contested case hearings. S.F. 2114, authored by Sen. William Luther (DFL-Brooklyn Park), requires a warning label on replica firearms. S.F. 1561, authored by Sen. Dennis Frederickson (IR-Morgan), regards what type of bait may be used to bait bears. H.F. 1731, carried by Sen. Jim Gustafson (IR-Duluth), authorizes a continuance of a municipal liquor store in the city of Proctor.

Also granted preliminary approval was H.F. 2254, carried by Sen. Don Frank (DFL-Spring Lake Park), authorizing the city of Blaine to issue an on-sale intoxicating liquor license to the Pheasant Ridge Music Center. H.F. 2358, carried by Sen. Roger Moe (DFL-Erskine), authorizes the sale of certain tax-forfeited lands that border public water in East Grand Forks. S.F. 1823, amends the Minnesota watershed act by adding reasons for termination of a watershed district. H.F. 1897, carried by Sen. Allan Spear (DFL-Mpls.), regulates the Minnesota Insurance Guaranty Association. H.F. 2559, carried by

Sen. Charles Davis (DFL-Princeton), regulates sales and repair of hearing aids. H.F. 1585, carried by Sen. Ember Reichgott (DFL-New Hope), designates a basin of Twin Lake within the city of Robbinsdale as a separate basin, South Twin Lake. H.F. 2252, carried by Luther, conveys certain lands to the city of Brooklyn Center in Hennepin county. H.F. 2092, carried by Gustafson, authorizes sanitary districts to apply for and receive assistance from the waste management board for certain solid waste programs.

Other items on the General Orders calendar approved include H.F. 2629, carried by Sen. Douglas Johnson (DFL-Cook), authorizing the commissioner of natural resources to lease certain severed mineral interests. H.F. 2551, carried by Johnson, provides for the private conveyance of tax-forfeited land in St. Louis county. H.F. 2489, carried by Johnson, authorizes the exchange of certain state land free from reservations of public travel under certain conditions. S.F. 2079, authored by Sen. Bob Lessard (DFL-Int'l Falls), provides for a statement of need and reasonableness before designating muskellunge waters. H.F. 2402, carried by Frank, permits certain development authorities to hold certain licenses. H.F. 2422, carried by Sen. Richard Cohen (DFL-St. Paul), which clarifies certain exemptions and specifies property exempt from final process issued by a court. H.F. 2508, carried by Sen. Steven Novak (DFL-New Brighton), provides relief for certain individuals denied a remedy due to the unconstitutionality of a statute of limitation relating to real property improvement. H.F. 1971, carried by Sen. Fritz Knaak (IR-White Bear Lake), permits appointment of any number of guardians.

Senators also gave preliminary approval to H.F. 1659, carried by Gustafson, which abolishes the office of constable and authorizes the board of peace officer standards and training to issue peace officer licenses to persons possessing constable licenses. H.F. 1844, carried by Cohen, prescribes when a referee's orders become effective. H.F. 2340, carried by Spear, requires the reporting of crimes motivated by bias and requires the peace officer standard and training board to mandate preservice training for peace officers regarding crimes of bias. H.F. 2446, carried by Sen. Sam Solon (DFL-Duluth), provides duties of the county board and the county administrator in St. Louis county. H.F. 1923, carried by Spear, imposes civil liability for the theft of merchandise and shopping carts. S.F. 2347, authored by Solon, modifies the definition of franchise to include certain royalty or residuals agreements. H.F. 1189, carried by Solon, is a resolution memorializing Congress to amend the Employment Retirement Security Act to permit the direct regulation of self-insured health care plans.

Preliminary approval was also given to H.F. 1913, carried by Marty, prohibiting employer reprisals against employees who decline to participate in charitable fund drives. H.F. 521, carried by Sen. Randolph Peterson (DFL-Wyoming), provides for notice of the meetings of lake improvement districts. H.F. 1710, carried by Sen. Donna Peterson (DFL-Mpls.), prohibits the display of sexually explicit material deemed harmful to minors in places of public accommodation open to minors. H.F. 1277, carried by Sen. David Frederickson (DFL-Murdock), provides for state park road account funds to be used for lake access roads. S.F. 1987, carried by Marty, requires the commissioner of employee relations to study the use of part-time employees in the executive branch work force. H.F. 1469, authored by Sen. Don Samuelson (DFL-Brainerd), provides for restrictions on vehicles transporting firewood in an unsafe manner on highways.

Given final approval were H.F. 2134, carried by Sen. Linda Berglin (DFL-Mpls.), requiring recordation of transfers of contracts for deed; H.F. 2018, carried by Berg, clarifying and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; and H.F. 2059, carried by Sen. Donna Peterson, clarifying the defenses to a charge of deprivation of parental rights.

## Tuesday, March 29

### Appropriations bills approved

Senators granted final approval to H.F. 2126, the Health and

Human Services appropriations bill, in the early afternoon session Tues., Mar. 29. The approximately \$26 million bill is basically a restructuring of last year's bill, according to Sen. Don Samuelson (DFL-Brainerd), chair of the Health and Human Services Division of the Finance Committee.

A key provision in the bill appropriates about \$8 million in state dollars for an increase in funding for medical assistance payments to nursing homes. That increase will mean increased funding for nursing homes from other sources, leading to a total increase to Minnesota nursing homes of about \$29 million. An additional \$500,000 is provided for an increase in the personal needs allowance.

H.F. 2126 also provides for 84 positions for Minnesota Veterans Homes; \$1 million for child care; a \$3.2 million transfer from the public health fund to medical assistance to expand coverage for pregnant women and infants; and \$1 million for the Head Start program.

The \$21 million Higher Education funding bill, S.F. 2569, authored by Sen. Gene Waldorf (DFL-ST. Paul), was given final approval in the afternoon floor session. Appropriations in the bill include \$6.55 million to the Higher Education Coordinating Board, \$1 million to the State Board of Vocational Technical Education, \$6.07 million to the State Board for Community Colleges, \$7.36 million to the State University Board, and \$80,000 to the Regents of the University of Minnesota to be used for fire protection.

The bill also establishes a regent search commission consisting of 24 members: eight members from the Senate, eight members from the House, and eight public members. The commission will assist the Legislature in establishing criteria for and recruitment of candidates to be considered for election to the Board of Regents.

The Senate also gave final approval to S.F. 1783, authored by Sen. Ember Reichgott (DFL-New Hope). The bill requires mandatory annual inspection of vehicle emission control equipment on vehicles registered in the seven-county metropolitan area. The bill passed by a vote of 44-20. An amendment, offered by Sen. Gary DeCramer (DFL-Ghent), requiring that a blend of ethanol and gasoline be the only unleaded fuel used in the metropolitan area after 1991 was ruled not germane to the bill by the President of the Senate. S.F. 1900, sponsored by Sen. Betty Adkins (DFL-St. Michael), sets bonding limits for the Metropolitan Airports Commission at \$150 million.

Senators also granted final approval to all of the items given preliminary approval Monday. In addition, final passage was given to H.F. 2317, carried by Sen. Douglas Johnson (DFL-Cook), providing for use of certain revenues in Independent School District No. 710, and H.F. 1526, carried by Sen. Gary DeCramer (DFL-Ghent), clarifying the requirements for brakes in towed vehicles.

## Vets home transfer approved

In addition to the highway funding bill, the Tues., Mar. 29,

evening floor session was devoted primarily to consideration of bills on the Special Orders Calendar. A bill to return control of state veterans homes to the Department of Veterans Affairs initiated considerable debate early in the evening. S.F. 1595, authored by Sen. Joe Bertram (DFL-Paynesville), creates a new nine member board of directors to oversee the veterans homes and transfers responsibility for the homes from the Department of Human Services to the Department of Veterans Affairs. A key provision of the bill requires that five members of the board must belong to federally chartered veterans service organizations such as the American Legion and the VFW. Opponents argued that control of the Veterans Homes should remain with the Department of Human Services because the department has the expertise necessary to provide quality care. Bertram argued that the bill specifically requires three board members to be familiar with the health care field. The measure gained final passage on a 57-5 vote.

A bill providing for a temporary liquor license for a festival this summer in Bloomington also gained final passage. According to sponsor Sen. William Belanger (IR-Bloomington), "Midsummer, A Festival of Music", being held at the Hyland Park Reserve, is expected to generate several million dollars in revenue for the state by drawing crowds from all over the country and northern Europe. The festival is modeled after similar Scandinavian midsummer celebrations.

In other action, Senators granted preliminary approval to four bills on the General Orders Calendar. The most controversial, S.F. 1937, providing for the seizure and forfeiture of property used in the commission of crimes was substantially amended. The bill, authored by Sen. Michael Freeman (DFL-Richfield), was amended to change the level of proof from "preponderance" to "clear and convincing" for forfeiture of property involved in drug cases and specifies that for cases other than drug cases a felony conviction was a prerequisite to forfeiture. In addition, the same amendment, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), specified that the property subject to forfeiture had to have been purchased with the proceeds from a crime.

Other bills gaining preliminary passage include H.F. 2029, sponsored by Sen. Randolph Peterson (DFL-Wyoming), updating language and terminology found in the statutes relating to school funding; H.F. 2038, carried by Freeman, making technical changes in the laws regulating youth employment programs; and H.F. 2192, sponsored by Sen. Steven Novak (DFL-New Brighton), providing for agreements with other states to administer special permits for vehicles exceeding weight and length restrictions and clarifying other laws relating to transportation.

Finally, Senators granted concurrence and repassage to S.F. 1632. The bill, authored by Sen. Fritz Knaak (IR-White Bear Lake), authorizes a coordinated erosion and sediment control pilot program in Ramsey County.

# Preview

**Tuesday, April 5, 1988**

**Finance Committee, Chair: Gene Merriam**  
8:00 AM Room 123 Capitol

**Agenda:** H.F. 2108-Moe, D.M.: Ratifying labor agreements. S.F. 2139-Berglin: Rates for ICF/MR. S.F. 2055-Berglin: Requiring that courts receive annual reviews of people with indeterminate commitments. S.F. 2106-Freeman: Vocational rehabilitation facility governance. S.F. 1628-Berglin: Ombudsmen for mental health. S.F. 1857-Lantry: Welfare reform. S.F. 2008-Brandl: HMO solvency. S.F. 1662-Purfeerst: Forest roads. S.F. 1093-Chmielewski: Providing for wage protection program.

**Wednesday, April 6, 1988**

**Finance Committee, Chair: Gene Merriam**  
8:00 AM Room 123 Capitol

**Agenda:** Continuation of 4/5 agenda. Additional bills.

Please call the Senate Hotline at 296-8088 or the Senate Information Office at 296-0504 for information about additional committee meetings and conference committee meetings. It is anticipated that the Senate will hold floor sessions on a daily basis. Further details were not available at press time.

# 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. Morse  
 Frederickson, D.R. Renneke  
 Freeman Stumpf  
 Larson Vickerman

## 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 Pogemiller  
 Freeman Moe, D.M. Renneke  
 Taylor Waldorf  
 Wegscheid

## 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

## 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

## 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

## 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

## 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. Wedgscheid  
 Dicklich Larson Peterson, R.W.  
 Frederickson, D.J. Mehrkens Pogemiller  
 Hughes Morse Ramstad

## 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

## 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

## 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

## 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.

## 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

## 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

## 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.

## 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

## 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

## 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

# MINNESOTA STATE SENATE

## Senate Members — 1988 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	296-4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William P.	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4154	Merriam, Gene	122 Cap.	49
IR	4131	Bernhagen, John	113 SOB	21	DFL	4370	Metzen, James	303 Cap.	39
DFL	2084	Bertram, Joe Sr.	323 Cap.	16	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	2577	Moe, Roger D.	208 Cap.	2
IR	4848	Brataas, Nancy	139 SOB	33	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	IR	1282	Olson, Gen	133 SOB	43
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
IR	0415	Decker, Bob	151 SOB	4	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"	326 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	G-28 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	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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## The Minnesota Senate Week in Review

April 8, 1988

### Omnibus tax bill wins final approval

The omnibus tax bill gained final passage with bipartisan support from Senate members, Wednesday, March 30. The bill was passed on a 61 to 3 vote.

Sen. Douglas Johnson (DFL-Cook), sponsor of S.F. 2260, said the bill completes tax reform initiatives begun last year. Reform of the state's taxing system is needed, he said, because of federal cutbacks in aid, state budget shortfalls and a troubled economy.

Johnson said the Senate bill contains "a complete overhaul of the property tax system." Under the plan, \$174 million in tax relief will be provided to homeowners, rental property owners and businesses in 1989-90. Further, the plan removes sales taxes on purchases by higher education institutions, simplifies the system, transfers all responsibility for income maintenance programs to the state and increases the budget reserve from \$250 million to \$300 million.

Sen. Steven Novak (DFL-New Brighton), chair of the Property Tax and Local Government Aids Division, called it "a compliment to everyone in the Senate" that the reform measure was before the body.

In his review of the sales tax section, Sen. LeRoy Stumpf (DFL-Plummer), chair of the Sales Tax Division, said the bill provides for repeal of the sales tax on meals restaurants provide their employees and repeals the sales tax on non-prescription pain relievers. Both of the taxes were instituted by the Legislature last year. The bill also contains a repeal of the "trigger tax" on corporate and individual income instituted last year which would have automatically increased taxes if the state budget reserve dropped to \$150 million.

Sen. Lawrence Pogemiller (DFL-Mpls.), chair of the Income Tax Division, reviewed changes in the sections worked out in his division. Changes include an increase in the elderly credit, exemption from sales taxes on agricultural property if the taxpayer was insolvent at the time of the sale and a reduction of mutual insurance gross premiums taxes from two percent to one-half percent.

An article making changes in the operation of tax financing districts statewide and establishing a district in Virginia, was deleted from the bill on a 31 to 29 vote on an amendment offered by Sen. Michael Freeman (DFL-Richfield). The article had been developed in the Economic Development Subcommittee of the Taxes and Tax Laws Committee, chaired by Sen. Ember Reichgott (DFL-New Hope).

The Senate adopted another amendment exempting residential, church, charitable, and government-owned property and Orchestra Hall from special assessments imposed in the Downtown Minneapolis Special Service District. Sen. Linda Berglin (DFL-Mpls.) offered the amendment. Another Freeman amendment, repealing allocations from the budget reserve to the Greater Minnesota Corporation, was also approved.

An amendment offered by Sen. Carl Kroening (DFL-Mpls.) to restore tax shelters on pensions, failed to win enough support to pass.

Just prior to voting, Senate Minority Leader Duane Benson (IR-Lanesboro), commended the tax committee chairs for their work and said the measure was "Not a bad bill. It does go in the right direction but doesn't go far enough."

To the applause of Senators from both parties, Senate Majority Leader Roger Moe (DFL-Erskine) spoke about the Senate's successful bipartisan work on funding state colleges and universities, its work on a highway funding package and the substantial property tax reforms contained in S.F. 2260.

### Lottery bill passed

A bill that would allow Minnesotans to vote on the lottery

question at the next election narrowly escaped the Senate Rules and Administration Committee Tuesday, April 5. S.F. 2, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), proposes a constitutional amendment to allow a state lottery. Discussion on the measure centered on the as yet unresolved questions of dedicating proceeds from the lottery to specific funds and of the status of enabling legislation providing for a lottery commission. A motion to forward the bill to the Senate floor with a recommendation to pass failed on a 12-15 roll-call vote. However, a motion, offered by committee chair Roger Moe (DFL-Erskine), that the measure be sent to the floor without recommendation was approved on 13-12 roll-call vote. The bill was debated by the full Senate Thursday and was granted final passage on a 34-33 roll call vote.

In other action, the panel approved two resolutions and advanced the workers compensation bill to the full Senate. S.F. 2428, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), makes numerous changes in the state's workers' compensation system, including altering the benefit formula for injured workers, eliminating the Workers Compensation Court of Appeals and capping attorneys' fees.

The two resolutions included S.F. 2272, authored by Sen. James Pehler (DFL-St. Cloud), memorializing congress to investigate the connection between Agent Orange and the health problems of Vietnam veterans and S.F. 2546, sponsored by Sen. Linda Berglin (DFL-Mpls.), memorializing the U.S. Olympic Committee of state support for the games of the XXVI Olympiad.

### Environmental trust fund approved in Rules

The Rules and Administration Committee, Wednesday, April 6, approved and passed to the Senate floor, S.F. 2000, establishing an environmental trust fund.

Senate Majority Leader Roger Moe (DFL-Erskine), chair of the committee and sponsor of the bill, outlined three major provisions of the bill: a constitutional amendment creating the fund; dedication of half of the net proceeds of a state-run lottery to the environmental trust fund; and dedication of half of the lottery proceeds to the Greater Minnesota Corporation. Dedication of the funds are contingent upon passage of a separate lottery bill and approval of the lottery on general election ballots. The bill also provides for the return of \$75 million that had been deposited in the Greater Minnesota Corporation to the general fund. Moe explained that the transferred funds would be used to fund the state highway package already approved by the Senate.

An amendment to remove the dedication of funds sections of the bill was defeated on an 11 - 14 vote. Senate Minority Leader Duane Benson (IR-Lanesboro) offered the amendment. He argued that guaranteeing funds to protect and preserve the environment will place those considerations on a higher priority level than other top state concerns such as nursing homes and programs for the needy. Senators Linda Berglin (DFL-Mpls.) and Allan Spear (DFL-Mpls.) supported the amendment. Berglin said it would be difficult for the Legislature to release funds set through a constitutional amendment. She added that future recessions may require a reassessment of how top priority programs are funded. Spear said the Senate should wait and see if there is going to be a lottery before it votes to dedicate lottery proceeds. However, Moe was successful in his argument against the amendment. He said the dedication of funds shows that the state has a "serious commitment" to environment and that the lottery is an appropriate funding source for new ventures such as the environmental trust fund and the Greater Minnesota Corporation.

# Committee Capsule

## Finance

### Ad hoc subcommittee meets

Chairman Gene Merriam (DFL-Coon Rapids) called a seven-member ad hoc Finance Subcommittee to order Monday evening, Apr. 3, to review the State Departments omnibus appropriations bill. According to Merriam, the \$16.4 State Departments omnibus bill "exceeded its committee deadline by a week, and includes new provisions added 'precipitously' by the State Departments Division unbeknownst to Senate members and the public."

Merriam's select forum reviewed the new provisions and made recommendations for amendments to the omnibus bill which was heard by the full Finance Committee later in the week.

Subcommittee action included incorporating Sen. Richard Cohen's (DFL-St. Paul) bill, S.F. 2439, into the omnibus bill. The bill changes the matching formula for the Motion Picture and Television Board to a 1:3 match. For every \$1 in private funds raised, \$3 in public funds will be allocated to the board. According to Cohen the formula change does not alter the total biennial appropriation of \$120,000.

The subcommittee also recommended to delete Sen. Lawrence Pogemiller's (DFL-Mpls.) bill, S.F. 2378, which changes the distribution of state election campaign checkoffs paid to political parties. Sen. Glen Taylor (IR-Mankato) argued that Pogemiller "hid the bill in an omnibus bill, and that the bill should carry itself." Two other provisions, state agency budget guidelines and special revenue consolidation, were recommended to be deleted from the bill.

Recommendations for the deletion of appropriations included \$600,000 earmarked for the Mississippi Regional Park, \$25,000 designated for the study and selection of the olympic ski jump training center, and \$150,000 appropriated for construction of the Greenway Ski Jump. Additionally, the subcommittee recommended reducing funds appropriated for capitol space planning by \$300,000.

The subcommittee also recommended adopting an amendment, offered by Sen. Michael Freeman (DFL-Richfield), to increase the general fund appropriation for health insurance cost overruns for public employees by \$4.6 million.

### Ag omnibus bill approved

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), worked diligently during the morning and evening of Tues., Apr. 5, to approve and send to the floor the Agriculture omnibus bill, S.F. 1837, and nine other measures.

The Agriculture omnibus bill was significantly amended by the committee, deleting the suppliers preference provision. According to Agriculture Committee chair, Charles Davis (DFL-Princeton), the provision was designed to promote the purchase of Minnesota grown products by Minnesotan agencies. The provision gave preference to the lowest responsible bidder for contracts that provide food products grown in Minnesota over food products grown and raised outside the state. Opponents argued that the bill throws the first stone in trade wars by establishing trade barriers and closing markets.

Appropriations approved include \$100,000 for start-up and initial administration costs to promote and market "Minnesota Grown" certified organic food products; \$675,000 to establish an endowment for a sustainable agriculture chair at the University of Minnesota; and \$1 million for low-interest loans to farmers adopting sustainable agriculture practices.

The omnibus bill also adjusts the interest rate buy-down program eligibility for farmers who applied for an operating loan prior to Jan. 1, 1987, and for farmers with an operating loan that matures after June 30, 1989.

The other nine bills approved include three bills sponsored by Sen. Linda Berglin (DFL-Mpls.). S.F. 2139 changes the procedures for determining ICF/MR rates beginning in 1988.

S.F. 1628 revises and clarifies the duties and powers of the ombudsman for mental health and retardation. Additionally, the measure transfers money from the Dept. of Human Services to the newly created Ombudsman Office for Mental Health and Retardation.

S.F. 2055 relates to the commitment of persons with mental illnesses. The measure requires that the courts receive annual reviews of people with indeterminate commitments and provides for court-ordered community based treatment. The bill also requires procedures for release before commitment and provisional discharge.

Two bills approved are carried by Sen. Lawrence Pogemiller (DFL-Mpls.). S.F. 2378 changes the distribution of state election campaign checkoffs paid to political parties. S.F. 821 authorizes state compliance with federal tax laws to secure tax exemption for certain bonds. The measure also authorizes the issuance of taxable bonds.

Sen. Marilyn Lantry successfully deleted an unwelcomed provision to her bill, S.F. 1857, added by Sen. Linda Berglin (DFL-Mpls.) as an amendment during the bill's first hearing in the Welfare Reform Division of the Health and Human Services Committee. The provision known as the "education incentive program" rewards AFDC recipients who are minors for attending school for consecutive days without an unexcused absence. Under the "carrot" provision, single parents who are minors attending school for consecutive days receive monetary vouchers for child care needs.

The major provision of Lantry's bill, as amended, requires mandatory school attendance for AFDC recipients who are minors.

According to Sen. John Brandl (DFL-Mpls.), his bill, H.F. 2127, is a response to growing alarm in the state regarding the financial solvency of HMO's. The bill does four main things, explained Brandl. First of all, the measure requires HMO's to make and maintain net deposits to build up funds in case of insolvency. The second provision requires HMO's to maintain a net worth requirement for further protection against insolvency. Thirdly, the measure creates a revolving fund to finance audits of HMO's. The fourth provision is in some ways the most important, according to Brandl. The provision provides for alternative health insurance coverage for enrollees of an insolvent HMO.

S.F. 2106, carried by Sen. Freeman, changes the formula for vocational rehabilitation reimbursement. The committee approved an amendment, offered by Sen. Don Samuelson (DFL-Brainerd), to further increase the economic factor in the funding formula to 18 percent.

Sen. Clarence Purfeerst (DFL-Faribault) authored the ninth measure receiving committee approval. The measure provides for the establishment, construction, administration, and maintenance of forest roads. The bill also dedicates gasoline fuel tax funds for forest road use.

### Omnibus bill debated

The State Departments omnibus appropriations bill was the nucleus of debate during the Finance Committee meeting, Wed., Apr. 6. Committee members criticized the formation of the seven-member Ad Hoc Finance Subcommittee to review the State Departments omnibus appropriations bill because it "circumvented the process." Sen. Sam Solon (DFL-Duluth) said, "If we continue to take actions like the actions that have been taken, there will be an erosion of the confidence that we place in each other."

Merriam defended the action, explaining that his concern and reason for calling an ad hoc committee to review the State Departments omnibus bill related to the precipitous nature by which the omnibus bill was formed during the past week. There was not adequate notice to the public, explained Merriam.

According to Sen. Carl Kroening (DFL-Mpls.), chairman of the State Departments Division of Finance, the proper place to address the omnibus bill is in the full Finance Committee, not in an ad hoc subcommittee.

Several amendments were adopted to the \$16.4 omnibus bill by the committee including an additional general fund appropriation of \$4.6 million to cover overruns in health insurance for public employees. The committee also acted to delete \$175,000 earmarked for ski jumps. An additional \$75,000 for a telephone system and computer cabling in the State Office Building was added to the \$350,000 appropriation for capitol space planning.

By a roll call vote of 19-9, Merriam's amendment to delete an appropriation of \$600,000 for the Mississippi Regional Park failed.

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Wegscheid (DFL-Apple Valley), makes a number of changes in public pension law. The most controversial changes were contained in Articles V and VI of the bill and provide for the extension of full pension benefits at age 62. According to supporters of the bill, by allowing retirement at 62 more public employees would experience the benefit. Currently, employees must work until age 65 to get full pension benefits or, if they retire early employees must qualify under the rule of 90. Wegscheid and Sen. Don Moe (DFL-St. Paul), argued that the bill would "dampen the discriminatory effects of current public pension plans." Several amendments were offered to delete portions of the measure, however none of the attempts were successful. The bill was approved on a 61-0 roll call vote.

A second pension measure, H.F. 1077, sponsored by Moe, outlines the fiduciary responsibility and liability of pension fund administration. According to Moe, the bill would provide for greater accountability in public pension fund administration. The measure was also given final passage 61-0.

The third pension bill, H.F. 2477, sponsored by Wegscheid, makes numerous changes in the law for particular individuals and pension plans. An amendment, subsequently adopted, offered by Sen. Lawrence Pogemiller (DFL-Mpls.), deleted a provision mandating that two state members be appointed to the Minneapolis Employees Retirement Fund Board. The bill was then given final passage 60-0.

Finally, members of the Senate granted concurrence and repassage to several bills. S.F. 2286, sponsored by Sen. Randolph Peterson (DFL-Wyoming), changes statutes relating to the Environmental Quality Board, prohibits the delegation of responsibilities and requires project proposers to pay the reasonable costs of environmental impact statements. S.F. 2289, sponsored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the Waste Management Board to enter agreements providing for development of a wholly or partially state owned stabilization and containment facility. S.F. 2264, authored by Sen. John Marty (DFL-Roseville), allows the city of Falcon Heights to consolidate election precincts. S.F. 2456, sponsored by Sen. Sam Solon (DFL-Duluth), creates a legislative task force on energy policies for low-income persons.

## Tuesday, April 5

### Crow bill passes without dove provision

Before giving final passage to S.F. 2098, a bill authored by Sen. Bob Lessard (DFL-Int'l. Falls), allowing the hunting of crow, the Senate removed for the last time a provision that would have established an experimental mourning dove hunting season. The provision had been added and deleted a number of times during the session. Sen. Allan Spear (DFL-Mpls.) offered the amendment.

Over thirty other bills on the Special Orders Calendar received final approval during the early afternoon part of the Tuesday, April 5 session. H.F. 1939, sponsored by Sen. Charles Berg (DFL-Chokio), extends the provisions regulating the farmer-lender mediation program until the program expires. The Senate approved an amendment, offered by Berg, to add his right-of-first-refusal bill onto the measure. The provision allows farmers to bid first when property they once owned is offered for sale. Another amendment, offered by Sen. Gary DeCramer (DFL-Ghent), relating to liens on farm products, was also adopted.

S.F. 2142, carried by Sen. Tracy Beckman (DFL-Bricelyn), reassigns certain administrative duties within the workers' compensation system. An amendment, offered by Beckman, makes qualified rehabilitation counselors and vendors subject to review by the rehabilitation review panel and subject to penalties for violations. An amendment offered by Sen. A.W. "Bill" Diessner (DFL-Afton) requires employers to provide treatment to employees exposed to rabies in their jobs. A restoration of benefits to certified rescue squad workers and their families when the worker has been injured or killed was added following an amendment offered by Sen. Joe Bertram (DFL-Paynesville).

Sen. Don Frank's (DFL-Spring Lake Park) bill, S.F. 1804, provides for registration of motor vehicles by long-term lessees. An amendment by Sen. Mel Frederick (DFL-Owatonna), allows a pro-rata refund on leases. H.F. 2039, carried by Sen. David Frederickson

(DFL-Murdock), makes changes within the Dept. of Corrections including providing protections for job transfers of county probation officers. H.F. 1836, authored by Sen. Gary Laidig (IR-Stillwater), requires crime prosecutors to provide certifiable proof of prior convictions if the convictions are to be used at sentencing hearings. H.F. 10, carried by Sen. Tad Jude (DFL-Maple Grove), clarifies that a child's crying does not constitute provocation under first degree manslaughter laws.

H.F. 2246, sponsored by Sen. Richard Cohen (DFL-St. Paul), extends provisions for economic development programs to nonprofit organizations. H.F. 2568, carried by Beckman, changes provisions regulating the small business development loan portion of the agricultural resource loan guarantee program. Sen. Donna Peterson's (DFL-Mpls.) bill, H.F. 1754, changes regulations relating to crime victims. The bill also alters the "Son of Sam" provisions in the law.

Sen. Douglas Johnson (DFL-Cook) sponsored S.F. 1756, which repeals the "trigger tax." The repeal is also contained in the omnibus tax bill. H.F. 1459, carried by Sen. Don Samuelson (DFL-Brainerd), removes a town levy limitation on the city of Irondale. S.F. 1154, carried by Sen. Gene Waldorf (St. Paul), imposes a \$90 sales tax on collector automobiles. H.F. 1864, authored by Sen. Robert Schmitz (DFL-Jordan), allows the city of Jordan to issue tax anticipation certificates. H.F. 1864, carried by Sen. Douglas Johnson, establishes a hospital district within Koochiching and St. Louis Counties. Sen. Marilyn Lantry's (DFL-St. Paul) bill, H.F. 289, extends St. Paul's authority to issue capital improvement bonds. S.F. 1590, sponsored by Sen. Jim Vickerman (DFL-Tracy), makes administrative changes within the Dept. of Transportation, and H.F. 1851, carried by Vickerman, provides for the duties of township officers.

H.F. 2063, authored by Sen. Steven Morse (DFL-Dakota), allows non-profit agencies to refinance loans for low-income housing projects. H.F. 1968, carried by Sen. John Bernhagen (IR-Hutchinson), allows municipalities to use unencumbered general revenue funds for matches for available tax increment district loans. Sen. Fritz Knaak's (IR-White Bear Lake) bill, H.F. 1865, allows the town of White Bear Lake to establish an economic development authority. H.F. 2306, authored by Sen. Lawrence Pogemiller (DFL-Mpls.) authorizes the Minnesota Public Facilities Authority to issue bonds for funding wastewater treatment and water supply systems.

A bill establishing a joint economic development authority in Cook County, H.F. 1224, was carried by Sen. Douglas Johnson. S.F. 765, authored by Sen. Lyle Mehrkens (IR-Red Wing), allows the city of Cannon Falls to establish a port authority and S.F. 1297, sponsored by Sen. David Frederickson (DFL-Murdock), establishes a port authority in Redwood Falls. S.F. 1963, carried by Pogemiller, provides for the issuance and use of public financing tools. H.F. 1302, sponsored by Lessard, permits Itasca County to issue a levy for economic development uses.

Sen. John Marty's (DFL-Roseville) bill, H.F. 2596, creates a legislative task force to monitor the performance of metropolitan agencies in complying with affirmative action laws. S.F. 2111, carried by Sen. Steven Novak (DFL-New Brighton), authorizes the office of pipeline safety to inspect and regulate intrastate pipeline facilities carrying liquified natural gas, liquified petroleum gas, and hazardous liquids. The bill also adopts federal pipeline safety regulations.

During the late afternoon floor session, an additional 17 bills were given final passage. Thirteen of those bills were on the Special Orders Calendar. S.F. 1462, authored by Sen. Gregory Dahl (DFL-Coon Rapids), establishes a low-income housing trust fund. The fund will be financed from the interest placed on escrow accounts. H.F. 2470, sponsored by Sen. A. W. "Bill" Diessner (DFL-Afton), increases the penalties for issuing dishonored checks with an aggregate value greater than \$250. S.F. 1912, carried by Sen. Michael Freeman (DFL-Richfield), requires the Commissioner of Health to implement an infant formula rebate system for the WIC program and also requires written materials provided to the clients to be in plain language and readable at the seventh-grade level. In addition, the bill establishes a local income assistance grant program to

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The committee also incorporated S.F. 2378, authored by Sen. Lawrence Pogemiller, which changes the distribution of political party checkoff funds.

Three other, less controversial, measures were approved by the committee. S.F. 2195, carried by Sen. David Frederickson (DFL-Murdock), makes technical corrections to the Cooperative Secondary Facilities Grant Act passed last session. S.F. 2194, also sponsored by Frederickson, prohibits the sale of certain polyethylene material. S.F. 2093, authored by Sen. Steven Morse (DFL-Dakota), eliminates the cap on the state university system student health service fees.

## Ten bills okayed

During the last scheduled meeting of the session for the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), Wednesday evening, ten bills were approved and sent to the floor.

S.F. 2382, carried by Sen. Randolph Peterson (DFL-Wyoming), makes modest changes in legislation passed last year. The measure clarifies procedures and fees relating to the statewide uniform commercial code computerized filing system.

Sen. Phyllis McQuaid's (IR-St. Louis Park) bill, S.F. 1517 provides for allocation of civil fines for overweight trucks in Hennepin County. Under the bill, if the violation occurs in Hennepin County and the arrest is made by the county sheriff, three-eighths of the civil penalty will be credited to the county general revenue fund and the remaining funds credited to the state highway user tax distribution fund.

S.F. 2221, carried by Sen. Gary DeCramer (DFL-Ghent), increases the percentage of money appropriated from the motorcycle safety fund to the public safety commissioner for motorcycle safety training. The bill also increases the fees for motorcycle licenses, including duplicate licenses. Under the measure, the fee for license renewal will increase by \$2 and duplicate license fees will increase by \$1.50.

S.F. 1719 and S.F. 1093 are both authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake). S.F. 1719 increases OSHA fines to \$15,000 for willful or repeated violations. Sen. Pat Piper (DFL-Austin) offered an amendment, which was adopted by the committee, to increase the fines to \$20,000—double the current OSHA fines for violations.

S.F. 1093 is supported by the AFL-CIO and is similar to existing legislation in three other states, explained Chmielewski. The measure provides a wage protection program to ensure employees receive wages owed to them. Employees would be entitled to a payment of a maximum of four work-weeks or \$2,000, whichever is less under the provision. The bill appropriates \$200,000 to be deposited into the employee wage protection fund account.

The ratification of labor agreements, compensation plans, and salaries for state employees, and salaries for certain employees of metropolitan agencies is contained in Sen. Donald Moe's (DFL-St. Paul) bill, H.F. 2108. The bill also caps the number of state patrol supervisors at one for every ten patrol officers. Moe tried unsuccessfully, by an 8-11 vote, to delete the cap provision from his bill.

S.F. 2318, sponsored by Sen. Steven Morse (DFL-Dakota), appropriates \$250,000 to the Board of Water and Soil Resources for additional groundwater protection.

The funds will be divided thusly: \$55,800 will be used for both a statewide well abandonment assessment and a pilot project for well abandonment; \$97,100 will be used for a pilot project to identify and seal abandoned wells; and \$97,100 will be used for a pilot project for conservation easements on susceptible groundwater recharge areas.

Sen. Gregory Dahl sponsored S.F. 2131 and H.F. 1399. S.F. 2131 prohibits the purchase and use of chlorofluorocarbon (CFC) processed packaging materials by government units and vendors. The bill also commissions a study on ways to eliminate sources of CFCs in the state.

H.F. 1399 creates secondary markets for economic development. The measure authorizes for-profit businesses, non-profit businesses, or individuals involved in economic development to participate in secondary markets. The bill also authorizes the use of appropriated

money for secondary market purposes.

S.F. 1678, carried by Sen. Bob Lessard (DFL-Int'l Falls), establishes a controlled burn program on public and private lands to propagate wildlife requiring new vegetation growth and brush, to manage the prairie, and to reduce the wildlife hazard.

## Wednesday, March 30

### Cigarette safe bill debated

Discussion during the early afternoon floor session Wed., Mar. 30, focused on H.F. 1935, which establishes "fire-safe" standards for cigarettes and little cigars sold in Minnesota. The bill, carried by Sen. Gregory Dahl (DFL-Coon Rapids), was granted final approval.

The bill requires the commissioner of public safety to adopt rules specifying fire safety standards for cigarettes and little cigars. Any cigarettes and little cigars not meeting the standards may not be sold in Minnesota after July 1, 1991.

An amendment offered by Sen. Mel Frederick (IR-Owatonna) and defeated by the Senate would have changed the effective date of the ban to 1995.

Also given final approval was H.F. 2185, carried by Sen. LeRoy Stumpf (DFL-Plummer), which removes the restriction on the height of deer stands. However, an amendment offered by Stumpf and approved by the Senate, includes a provision declaring the white-tailed deer the official mammal of Minnesota.

Senators also gave final passage to S.F. 1861, authored by Sen. James Pehler (DFL-St. Cloud), as amended by a conference committee. The bill requires replacement coverage if an HMO cancels coverage and increases notice requirements and annual reporting requirements for HMOs. The bill also makes provisions for dispute mediation through the commissioner of health in cases involving HMOs.

S.F. 1622, carried by Sen. LeRoy Stumpf (DFL-Plummer), as amended by a conference committee, was also given final passage. The bill clarifies which debtors are eligible for mediation under the farmer lender mediation act.

All items on the General Orders Calendar were declared to be Special Orders, so a number of measures were given final approval. H.F. 2086, carried by Sen. Darril Wegscheid (DFL-Apple Valley), removes language regarding restricted gasoline fill pipes. H.F. 2546, carried by Sen. Sam Solon (DFL-Duluth), regulates preparation of certain information for membership camping contract applications and subdivider qualification statements. S.F. 1815, authored by Sen. Ronald Dicklich (DFL-Hibbing), prohibits transportation of certain animals in open vehicles. H.F. 1943, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits the sale of tax-forfeited lands that border public waters in the City of Aitkin.

Also granted final approval was S.F. 2107, authored by Sen. William Luther (DFL-Brooklyn Park), expanding aggravated robbery and burglary in the first degree to include crimes committed with an article that appears to be a dangerous weapon. H.F. 1773, carried by Luther, directs the revisor of statutes rather than the Secretary of State to assign chapter numbers to enrollments and publish bills in Laws of Minnesota in chapter number order. H.F. 1983, carried by Sen. Allan Spear (DFL-Mpls.), directs the sentencing guidelines commission to study certain sentencing issues. H.F. 1796, carried by Sen. Steven Novak (DFL-New Brighton), authorizes county building fund levies.

Four bills on the Senate Calendar received final passage. H.F. 2029, carried by Sen. Randolph Peterson (DFL-Wyoming), modifies general education and foundation revenue provisions. H.F. 2038, sponsored by Sen. Michael Freeman (DFL-Richfield), regulates youth employment programs and H.F. 2192, carried by Sen. Steven Novak (DFL-New Brighton), is a transportation bill regulating over-the-road vehicles. S.F. 1937, authored by Freeman, provides for the confiscation of property used to commit crimes and provides for controlled substance violations.

### Pension bills gain

Debate on three pension bills dominated the later portion of the Wednesday night floor session. H.F. 1709, authored by Sen. Darril

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increase the use of food stamps by homeless individuals.

S.F. 2434, authored by Sen. Sam Solon (DFL-Duluth), authorizes the expenditure of previously appropriated funds for acquisition towards construction of Duluth's Western Waterfront Trail. S.F. 1771, carried by Sen. Ember Reichgott (DFL-New Hope), retains strict levy limits for cities and counties that do not comply with pay equity requirements. S.F. 2182, sponsored by Sen. James Metzen (DFL-South St. Paul), provides for payment of tax increments attributable to referendum levy increases to school districts. S.F. 1111, authored by Freeman, provides that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed an aggravated felony against the person as a member of an organized gang. S.F. 421, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), authorizes the Commissioner of Health to issue subpoenas. S.F. 22, also authored by Chmielewski, permits certain counties to levy a tax for the county historical society. S.F. 2117, carried by Reichgott, allocates bonding authority subject to a volume cap under federal tax law. The bill was amended to exclude the debt financing section.

H.F. 577, authored by Sen. John Marty (DFL-Roseville), clarifies the purposes of the laws on termination of parental rights and alters certain grounds and procedures for termination of parental rights. S.F. 2036, authored by Sen. William Luther (DFL-Brooklyn Park), expands current law to include prohibiting possession of fireworks and increases the penalties for selling or possessing certain quantities of fireworks. The Senate adopted an amendment, offered by Sen. Howard Knutson (IR-Burnsville), which exempts license or permit holders. S.F. 1708, carried by Dahl, permits managers of credit unions to be directors and provides conditions for the expulsion of credit union members.

The Senate adopted conference committee reports for three bills and repassed them. H.F. 85, authored by Dahl, is the used lemon car bill. H.F. 1831, authored by Sen. Cal Larson (IR-Fergus Falls), authorizes the issuance of one on-sale liquor license for an excursion and dinner boat on Detroit Lake. S.F. 232, authored by Sen. Richard Cohen (DFL-St. Paul), expands the definition of crime for victims' rights, one of which is to allow victims to submit an impact statement to the court.

The Senate also gave concurrence and repassage to S.F. 1713, authored by Chmielewski, authorizing the private sale of tax-forfeited lands in Carlton County.

## Wednesday, April 6

### Special Orders approved

The Senate approved a number of Special Orders during the afternoon session Wed., Apr. 6.

S.F. 1904, authored by Sen. Pat Piper (DFL-Austin), was granted final approval. According to Piper, the bill provides the Board of Medical Examiners with the tools it needs to properly perform its duties. H.F. 2224, carried by Sen. Carl Kroening (DFL-Mpls.), restricts landlords from accepting rent on condemned property. S.F. 2025, authored by Sen. Michael Freeman (DFL-Richfield), regulates the business of mortgage bankers, loan officers, general mortgage brokers and individual mortgage brokers. H.F. 2536, carried by Sen. William Luther (DFL-Brooklyn Park), is the Secretary of State's housekeeping bill with respect to the voter registration system. S.F. 392, authored by Sen. Allan Spear (DFL-Mpls.), provides for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders.

S.F. 1809, authored by Sen. John Marty (DFL-Roseville), requires the Dept. of Human Services to implement the program enacted last year that provides telephones to communication-impaired persons. S.F. 2451, sponsored by Sen. William Luther (DFL-Brooklyn Park), clarifies that a public Defender appointed by the State Board of Public Defense is a state employee for immunity from liability purposes. An amendment, offered by Ronald Dicklich (DFL-Hibbing), provides similar protection for court appointed guardian ad litem. S.F. 412, also sponsored by Luther, creates a lien against real property where the state has incurred cleanup expenses and the owner is liable for the expenses and provides for

implementation and enforcement of the lien.

The Senate rejected H.F. 1957, carried by Sen. Linda Berglin (DFL-Mpls.), after considerable discussion. The bill alters procedures for the disclosure of assets and liabilities for couples seeking divorce. People shouldn't have to pay attorneys just to determine these, Berglin said; they should be disclosed from the beginning. However, a number of Senators spoke against the bill, and it was not approved.

In other action, Senators approved three resolutions. S.F. 2546, authored by Berglin, memorializes the U.S. Olympic Committee of state support for the bid for the games of the XXVI Olympiad. S.F. 2272, sponsored by Sen. James Pehler (DFL-St. Cloud), memorializes Congress to investigate the connection between agent orange and health problems of Vietnam veterans. Senate Resolution No. 102, carried by Sen. Charles Berg (DFL-Chokio), memorializes the Commodity Futures Trading Commission to adopt rules to restrict speculative short sales and short sale orders of an agricultural commodity that is in oversupply.

Concurrence and repassage was granted to S.F. 2384, authored by Sen. Robert Schmitz (DFL-Jordan), which provides for payment to farm implement retailer by successor in interest of the manufacturer, wholesaler, or distributor who purchases stock and inventory.

Sen. Ember Reichgott (DFL-New Hope), moved to reconsider H.F. 2117, carried by Reichgott, for purposes of a technical amendment. The amendment and the bill were approved.

A motion by Sen. Gary DeCramer (DFL-Ghent) to concur with the House amendments to S.F. 1646, carried by DeCramer, was rejected by the Senate. Sen. William Belanger, Jr., (IR-Bloomington), said that the bill contained part of the omnibus insurance bill and moved that the Senate not concur and that a conference committee be appointed. The motion was approved.

### Gubernatorial appointments approved

Senators devoted much of the late afternoon to consideration and confirmation of numerous gubernatorial appointments. Agency, board and departmental appointments all gained Senate confirmation.

Appointments getting Senate advice and consent included the following: Sandra Hale as Commissioner of the Department of Administration; Nina Rothchild as Commissioner of the Department of Employee Relations; Lani Kawamura as Director of the State Planning Agency; Orville Pung as Commissioner of the Department of Corrections; Sister Mary Madonna Ashton as Commissioner of the Department of Health; Sandra Gardebring as Commissioner of the Department of Human Services; Stephen W. Cooper as Commissioner of the Department of Human Rights; Norma McKanna to the Public Utilities Commission; Mike Hatch as Commissioner of the Department of Commerce; Steve Keefe as Chair of Metropolitan Council; Joan M. Campbell, John Robert Evens, David Fisher, Carol Flynn, Michael W. McLaughlin; Patrick J. Scully, Donald Stein, Gertrude Ulrich and Marcy Waritz to the Metropolitan Council; Peter Meintsma as Chair of the Metropolitan Waste Control Commission;

Tom Triplett as Commissioner to the Department of Finance; Lumilla Sahlstrom, David M. Lilly, Jr., and Karen B. Gray to the State Board of the Arts; Jane A. Elsen, Rita Fassbinder, Louis A. Murray and Rozann Prich to the Charitable Gambling Control Board; Reginald T. Buckner, Audrey Eickhof, Jack R. Fena, Florence Grieve and Nancy B. Vollertsen to the Board of the Minnesota School and Resource Center for the Arts; Alice S. Keller and Charles Neerland to the Minnesota Higher Education Coordinating Board; John McHugh and Catherine Warrick to the Minnesota Higher Education Facilities Authority; Lee Antell, B. Elaine Markey and Richard M. Niemiec to the State Board for Community Colleges; Mabel Evans Cason and Marjorie Johnson to the State Board of Education; L.E. Danford and Nellie Stone Johnson to the State University Board; Frank E. Adams, Donna Anderson, Scott Rocci Norcia and Lenore Quick to the State Board of Vocational Technical Education; Sharon Hurley to the Board of Animal Health; and David G. Velde and Andrew L. Walters to the Minnesota Rural Finance Agency.

# MINNESOTA STATE SENATE

## Senate Members — 1988 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	296-4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William P.	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4154	Merriam, Gene	122 Cap.	49
IR	4131	Bernhagen, John	113 SOB	21	DFL	4370	Metzen, James	303 Cap.	39
DFL	2084	Bertram, Joe Sr.	323 Cap.	16	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	2577	Moe, Roger D.	208 Cap.	2
IR	4848	Brataas, Nancy	139 SOB	33	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	IR	1282	Olson, Gen	133 SOB	43
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
IR	0415	Decker, Bob	151 SOB	4	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"	326 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	G-28 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	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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88, April 15

# Briefly



## The Minnesota Senate Week in Review

April 15, 1988

### Workers' comp rebounds

The Senate defeated S.F. 2428, the worker's compensation bill, on a 32-25 vote during the evening session Tuesday, April 12. The bill involves a premium rate reduction of \$160 million for Minnesota employers, according to author Sen. Florian Chmielewski (DFL-Sturgeon Lake).

The main savings in the bill would come from restructuring benefits to future injured workers. However, most of the evening's discussion revolved around two provisions that did not involve benefit restructuring.

One provision entailed the abolition of the Workers' Compensation Court of Appeals and the transfer of its duties to the Court of Appeals. Under the bill, the transfer will occur June 1, 1989. However, under an earlier version of the bill, the transfer would occur January 1, 1989.

An amendment proposed by Sen. Fritz Knaak (IR-White Bear Lake) reinstated the January 1 abolition date. However, Sen. Allan Spear (DFL-Mpls.), chair of the Judiciary Committee, said that his committee should have an opportunity to discuss the change before it went into effect, and urged Senators to uphold the transfer date of June 1. The Knaak amendment was not adopted.

The other provision that generated discussion involved the regulation of the insurance industry, which has been unregulated since 1983. The bill discussed Tuesday gave the commissioner of commerce more power over setting rates than had been outlined in an earlier proposal.

S.F. 2428 was reconsidered in the late afternoon session Wednesday, April 13. Senators Chmielewski, Duane Benson (IR-Lanesboro), and Charles Berg (DFL-Chokio) offered a delete everything coalition amendment which was adopted by a vote of 43-23. The amended bill was finally passed 42-25.

The coalition amendment differs from the previous day's amendment in two significant ways. The first change is the elimination of a major benefit cut to workers with minor permanent injuries. This provision reversed the attempt to cut off all benefits to injured workers with a disability rating of 20 percent or less. The second change relates to the powers of the Commissioner of Commerce. In the coalition amendment the Commissioner is granted only limited regulation authority of the insurance industry. The Commissioner can challenge rate filings on the basis of excessiveness, inadequacy or as unfairly discriminatory. The challenge automatically results in a hearing at which the insurer has the burden of proof.

Sen. Michael Freeman (DFL-Richfield) offered an amendment to change the mandated rate reduction from 16 to 20 percent and to alter the effective date for filing rate increases to April 10, 1988. The amendment was divided and the Senate defeated the mandated reduction rate but adopted the new effective date.

Other provisions in the coalition amendment would abolish the Workers' Compensation Court of Appeals, freeze medical rates, limit attorneys' fees, transfer the cost of administration to the state general fund, abolish mandatory QRC's, and base claims on the average after-tax weekly wage rather than the statewide average weekly wage.

### Seat belt fine approved

Motorists will be fined \$10 for failure to wear seat belts according to S.F. 121, a bill given final repassage on a 42-23 vote by the Senate, Wednesday, April 13. Minnesota has had a mandatory seat belt law

since 1986 but attempts to enforce the law with a fine were unsuccessful in prior sessions. Under the current bill, citations for seat belt violations may only be given as a secondary offense such as when a motorist is stopped for a moving violation.

Sen. Don Frank (DFL-Spring Lake Park), sponsor of the measure, said that the funds raised through the fine will be distributed to a rural Emergency Services Relief Account. Frank predicted that approximately \$750,000 will be raised each year through the fine. The bill, which has been forwarded to Gov. Rudy Perpich for his signature, carries an effective date of May 1, 1988.

### Environmental Trust Fund bill passed

S.F. 2000, authored by Sen. Roger Moe (DFL-Erskine), gained final approval on the Special Orders Calendar in the late afternoon floor session Friday, April 8. The bill proposes a constitutional amendment which establishes an environment, natural resources, and wildlife trust fund in the State Treasury. The proposed amendment will be submitted on the general election ballot in November 1988. The purpose of the trust fund is to ensure that the environment, natural resources, and wildlife of the state will be protected, conserved, preserved, and enhanced for the current citizens and future generations. The bill passed by a vote of 40-26.

The bill in its original form dedicated 50 percent of the net lottery proceeds to the trust fund while the other 50 percent was to go the Greater Minnesota Corporation. Sen. Donna Peterson (DFL-Mpls.) offered an amendment which undedicates the lottery proceeds and allows the Legislature to determine by law each fiscal biennium how much will be given to the trust fund and the Greater Minnesota Corporation, the limit being up to 50 percent of the net lottery proceeds to each entity. The amendment was adopted by a voice vote.

Sen. Duane Benson (IR-Lanesboro) proposed an amendment which would establish an environmental trust fund statutorily rather than constitutionally. Benson argued that establishing the fund by way of a constitutional amendment is "setting a dangerous precedent." Sen. Allan Spear (DFL-Mpls.) agreed and said, "We need to be sparing about constitutional amendments." In opposition to the Benson amendment, Moe argued, "The state needs to make a commitment to the environment and the Greater Minnesota Corporation but at the same time not tie the hands of the Legislature." The amendment was narrowly defeated by a vote of 32-34.

An amendment that dedicates one percent of the net lottery proceeds to establish programs for treatment of compulsive gamblers, proposed by Sen. Dean Johnson (IR-Willmar), was defeated.

### Six-person jury bill okayed

A bill specifically authorizing a current judicial practice gained Senate endorsement Tuesday, April 12. S.F. 2321, authored by Sen. Allan Spear (DFL-Mpls.), proposes an amendment to the state constitution providing for six-member juries in civil and nonfelony criminal cases. According to Spear, a case is pending before the state Supreme Court challenging the constitutionality of the 1971 law permitting six-member juries. There is reason to believe that the court will decide six-member juries are unconstitutional and that, Spear said, would throw the county court system into a crisis situation. Spear added that it is important to get the amendment placed on the ballot this year because failure to do so would result in county courts having to use 12-member juries until the 1990 general election.

# Floor Action

Thursday, April 7

## Waste Management Act amendments pass

Sen. Gene Merriam's (DFL-Coon Rapids) bill, S.F. 1891, amending the Waste Management Act of 1986 was given final passage on the Special Orders Calendar by the Senate after a number of amendments were adopted.

S.F. 1891 stipulates a number of new requirements and provisions. The two most controversial items in the bill were the repealer section on siting procedures and the section prohibiting the placement of scrap tires in regular landfills. The repealer section abolishes the process of siting potential landfills. Currently, eight tracts in the metropolitan area have been designated by the Metropolitan Council as possible landfills to be used to dispose of the metropolitan area's garbage. Merriam argued that by repealing this section localities will be forced to focus on alternative ways of disposing of waste. Sen. Donald Storm (IR-Edina) offered an amendment to delete the repealer section, arguing that retention of the current siting procedures will prevent acting in a crisis if new landfills are needed. "What harm can come from allowing this siting process to continue for a year or so until we know where we are?", Storm asked. The amendment failed by a vote of 10-51.

The other controversial item in the bill relates to waste tires. The bill specifies that waste tires can be disposed of only in designated waste tire facilities. In addition, provisions are made for research and studies to determine the technical and economic feasibility of uses for tire derived products, public education on waste tire management, and grants and loans to businesses which attempt to reduce the current abundance of waste tires. Sen. Earl Renneke (IR-Le Seuer) offered two amendments relating to waste tires. The first amendment changes the effective date of a section that provides that a person who sells automotive tires at retail must accept waste tires from customers for collection and recycling to April 1, 1989. The amendment was adopted. The other amendment requires that a person who has received a grant of state or county funds for waste tire processing or recycling may not accept waste tires from outside the state. The amendment failed.

Sen. John Marty (DFL-Roseville) proposed an amendment to prohibit the sale and use of plastic cans and nondegradable plastic material. The amendment also prohibits the disposal of yard waste in mixed municipal solid waste facilities, disposal facilities, and resource recovery facilities except for the purposes of composting or co-composting. The amendment was adopted. Sen. William Luther (DFL-Brooklyn Park) submitted an amendment, which was adopted, which provides that the Pollution Control Agency require the operator of a solid waste disposal facility to disclose the disposal fee rate and any increases in the rates during the following calendar year to the agency by November 1. The agency may revoke the permit to operate a facility for the disposal of solid waste if the agency determines that rate increases are unreasonable.

Other sections of the bill provide for requiring buildings to provide space for recycling; changing the definition of recyclable materials to mean materials such as paper, glass, metals, automobile oil and batteries that are separated from mixed municipal solid waste for the purposes of recycling; specifying the responsibilities of the Legislative Commission on Waste Management; adding containment of hazardous waste as an item for which the Waste Management Board may make grants; making industrial waste facilities eligible for processing facility loans; banning used oil from being placed on the land; allowing counties in the seven-county metropolitan area to decide how much to charge for landfills; providing for interim classification of incinerator ash; and repealing the expiration date of the Legislative Commission on Waste Management.

In other action, the Senate concurred and gave final passage to S.F. 2117, authored by Sen. A.W. "Bill" Diessner (DFL-Afton), allowing certain non-licensed facilities to perform breath tests for alcohol and S.F. 1561, sponsored by Sen. Dennis Frederickson (IR-Morgan), prohibiting the use of certain meat in baiting bears, authorizing electric landing nets, and regulating possession limits,

size, and season for walleyed pike in the Rainy River.

In the later part of the afternoon a number of bills on the Special Orders Calendar gained final approval. S.F. 1956, authored by Sen. Randolph Peterson (DFL-Wyoming), updates the statutes that regulate saving and loan associations.

## Lottery bill passed

"Shall the Minnesota Constitution be amended to permit the legislature to authorize a lottery operated by the state?" The Senate voted 34-33 to submit that question to voters on 1988 general election ballots.

S.F. 2, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), is, according to the author, a simple bill that lets voters decide the issue. Lessard predicted that Minnesota will be surrounded by states with lotteries by next summer. By instituting its own lottery, the state could net \$42 million through the state's share of lottery proceeds the first year and about \$140 million after three or four years of operation, according to Lessard.

An amendment was adopted on a 38-28 vote that prohibits the state from promoting the lottery. Sen. William Luther (DFL-Brooklyn Park) offered the amendment. The purpose of the amendment is to "eliminate offensive forms of advertising," Luther said.

Sen. Allan Spear (DFL-Mpls.), who opposed the measure, said compulsive gambling will become an issue if the lottery is passed. He likened gambling to the consumption of alcohol. "Some people can handle it. Some people can't," he said. Spear offered an amendment prohibiting political committees from using funds from corporations not incorporated in Minnesota from contributing funds for promoting or defeating a ballot question amending the Minnesota Constitution. He said the amendment would "truly let people decide" the question for themselves without influence from political parties. However, the amendment was ruled not germane to the bill.

The Senate also gave final passage to H.F. 2396, sponsored by Sen. Michael Freeman (DFL-Richfield), authorizing a marketing study for a brainpower development bond program.

## Friday, April 8

### Senate okays bill resolving treaty dispute

Senators gave final approval to H.F. 2216, as amended, during the afternoon session Fri., Apr. 8. The measure, whose Senate sponsor is Sen. Douglas Johnson (DFL-Cook), ratifies an agreement between three bands of Chippewa Indians and the state.

Under a 1854 agreement between the U.S. Government and the Lake Superior Chippewa Indians, the Indians ceded ownership of most of northeastern Minnesota but retained hunting and fishing rights in the ceded territory. Under the new agreement, the Fond du Lac, Bois Fort and Grand Portage bands will receive approximately \$5 million annually for giving up exclusive hunting and fishing rights in the ceded areas, not including reservation lands.

Senators also gave final approval to S.F. 1783, the vehicle emissions inspection bill. Sen. Ember Reichgott, (DFL-New Hope), author of the bill, moved concurrence with the House amendments. The motion was approved and the bill passed.

The inspection law will go into effect July 1, 1991. Motorists whose vehicles will need to be inspected will pay a fee of up to \$10, which will be added onto their vehicle registration fee.

The bill is an effort to reduce carbon monoxide levels in the Twin Cities area. The United States Environmental Protection Agency has told state officials that the levels are too high.

In other action, the Senate granted concurrence and repassage to a number of measures. S.F. 1328, authored by Sen. Ronald Dicklich (DFL-Hibbing), alters requirements concerning fencing of unused mine pits and shafts. S.F. 1620, sponsored by Sen. Pat Piper (DFL-Austin), regulates payments for some services for adults with mental retardation and related conditions. S.F. 2102, carried by Sen. Carl

# Floor Action

Kroening (DFL-Mpls.), authorizes the Minneapolis Park and Recreation Board to establish compensation for its members. S.F. 335, authored by Sen. John Brandl (DFL-Mpls.), authorizes physical therapy treatment without referral by a physician. H.F. 1980, carried by Sen. Tracy Beckman, (DFL-Bricelyn), and H.F. 1846, carried by Sen. A.W. "Bill" Diessner (DFL-Afton), were also granted final approval. H.F. 1980 designates I-90 as AMVETS memorial highway. H.F. 1846 allows authorized persons to inspect or copy waste facility records containing specified information without a search warrant.

## Omnibus ag bill approved

In further action, the Senate gave final passage to two other major bills. S.F. 2183, authored by Sen. Linda Berglin (DFL-Mpls.), relates to hate crimes. The bill enhances the penalties for crimes committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin.

S.F. 1000, authored by Sen. Charles Davis (DFL-Princeton), is the agriculture omnibus bill. The bill appropriates a total of \$4 million with \$1 million going for start-up low-interest loans to farmers who adopt sustainable agriculture practices and \$675,000 going to the establishment of an endowment for a sustainable agriculture chair at the University of Minnesota. In addition, the bill adjusts the interest rate buy-down program eligibility for farmers who applied for an operating loan prior to Jan. 1, 1987, and for farmers with an operating loan that matures after June 30, 1989. The bill also provides for a Minnesota Grown program.

A number of amendments were adopted before the bill gained final approval. Davis offered two substantial amendments that were adopted. The first amendment establishes both a shared savings loan program to provide loans that enable farmers to adopt management practices that emphasize energy efficiency, reduce petroleum and chemical inputs, and increase the energy self-sufficiency of agricultural producers and a grant program for sustainable agriculture methods. The second amendment outlines standards for grain testing.

Sen. Clarence Purfeerst (DFL-Faribault) proposed an amendment providing up to \$100,000 from the general fund to be matched on an equal basis with nonstate funds for the Minnesota Agricultural Interpretative Center. The amendment failed. An amendment relating to dry edible beans, submitted by Sen. David Frederickson (DFL-Murdock), was adopted. Sen. Charles Berg (DFL-Chokio) proposed two amendments: The first specifies procedures for the sale of defaulted property and the second prohibits a person who has previously defaulted on a state loan or state guarantee of a loan from receiving a seller-sponsored loan. Both amendments were adopted. An amendment, proposed by Sen. Lyle Mehrkens (IR-Red Wing), reappropriating all of the federal mediation funds to the Minnesota Extension Service was adopted.

Finally, members of the Senate granted concurrence and repassage to four measures. S.F. 1595, authored by Sen. Joe Bertram (DFL-Paynesville), returns control of the Veterans Homes to the Department of Veterans Affairs and creates the Veterans Home Board of Directors. S.F. 1673, authored by Sen. James Pehler (DFL-St. Cloud), provides for an intoxicating liquor license for the St. Cloud Civic Center and for two additional on-sale licenses in other parts of the state. S.F. 1749, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), provides conditions for contractors bonds with the city of Minneapolis and provides for a "13th check" for retired Minneapolis police officers and firefighters. S.F. 1018, authored by Sen. Donna Peterson (DFL-Mpls.), defines the crime of fifth degree sexual assault and sets penalties.

## Monday, April 11

### Formula for sheltered workshops okayed

The Senate, Mon., Apr. 11, gave final passage to a bill changing the formula for vocational rehabilitation reimbursement. The bill, S.F. 2106, sponsored by Sen. Michael Freeman (DFL-Richfield), calls

for using economic factors in establishing funding formulas for sheltered workshops. An amendment, offered by Sen. Donald Storm (IR-Edina), changed the percentage of allocations to workshops from 18 percent back to the bill's original 15 percent. The bill had been amended to 18 percent in the Finance Committee.

Other bills on Special Orders gaining final passage in the early afternoon part of the session included H.F. 2127, sponsored by Sen. John Brandl (DFL-Mpls.). According to Brandl, the bill protects HMO enrollees by building up the solvency of HMOs, establishes a revolving fund and provides other coverage protections. S.F. 1662, carried by Sen. Clarence Purfeerst (DFL-Faribault) provides for the maintenance and construction of forest roads, establishes a forest road account and appropriates approximately \$675,000 from annual gas tax funds to forest road management.

S.F. 2194, carried by Sen. David Frederickson (DFL-Murdock), prohibits the sale of certain polyethylene materials.

Sen. Florian Chmielewski's (DFL-Sturgeon Lake) bill, S.F. 1719, increases the penalties for violation of OSHA standards. H.F. 1681, carried by Sen. William Luther (DFL-Brooklyn Park), changes the statute of limitations for damages based on services or construction to improve real property. Two amendments, one offered by Sen. Tad Jude (DFL-Maple Grove) and the other by Sen. Fritz Knaak (IR-White Bear Lake), which would alter the effective dates of the bill, were narrowly defeated. Both amendments attempted to avoid impacting pending suits relating to claims for damages on real property.

H.F. 2138, authored by Sen. Linda Berglin (DFL-Mpls.), adds to the duties of the Ombudsman Office for Mental Health and Mental Retardation by assigning the office the responsibility for monitoring the treatment of mentally retarded patients in state hospitals. Under current regulations that follow the longstanding Welsch case, court monitors are assigned to oversee the treatments.

Federal compliance requirements for securing tax exemption for state bonds and other obligations are met through S.F. 821, carried by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill also authorizes the issuance of taxable bonds. The Senate adopted an amendment to the bill, offered by Sen. James Metzen (DFL-South St. Paul), that makes low-interest loans available to first time home-buyers. S.F. 2195, carried by Sen. David Frederickson, makes technical corrections in the Cooperative Secondary Facilities Grant Act. H.F. 2022, sponsored by Sen. Charles Davis (DFL-Princeton), adds members of individual breed associations to the state agricultural society and H.F. 1999, carried by Chmielewski, regulates steam boiler operations.

Five additional bills gained final passage during the latter part of the afternoon floor session. H.F. 1656, carried by Sen. Phyllis McQuaid (IR-St. Louis Park), addresses the problem of overweight trucks in Hennepin County. Under the bill, if the county sheriff makes an arrest for an overweight violation in Hennepin County, three-eighths of the civil penalty will be credited to the county general fund and five-eighths credited to the state highway user tax distribution fund.

The prohibition of governmental purchase and use of chlorofluorocarbon (CFC) processed packaging material is contained in S.F. 2131, authored by Sen. Gregory Dahl (DFL-Coon Rapids). According to Dahl, presently, many styrofoam materials contain CFC's such as McDonald's containers and the styromfoam used on construction sites.

H.F. 1399, also carried by Dahl, creates secondary markets for economic development. According to Dahl, the measure encourages private investing for "socially worthwhile" public purposes.

"A simple, noncontroversial bill", according to H.F. 1925 author Sen. Steven Morse (DFL-Dakota), eliminates the cap on the state university system student health service fees. The bill passed without dissent.

And finally, S.F. 1678, sponsored by Sen. Bob Lessard (DFL-Int'l Falls) passed by a 47-0 vote. The measure establishes a controlled burn program on public and private lands. According to Lessard, the measure is a start in addressing the needs for a controlled burn program.

# Floor Action

In other action, the Senate adopted House amendments to S.F. 752, carried by Sen. Ember Reichgott (DFL-New Hope), and re-passed the measure. The bill provides for registration of pharmacies and drug manufacturers, licensing of pharmacists, and remedies for violations. The gubernatorial appointments of Douglas R. Ewald and Mary Smith to the Ethical Practices Board were approved.

## Tuesday, April 12

### Withholding waiver passes

Waiving automatic income withholding for child support payments received final passage on the Special Orders Calendar, Tues., Apr. 12. The provision, H.F. 2341, sponsored by Sen. Lawrence Pogemiller, is a response to legislation passed last year establishing five county pilot projects for automatic income withholding for child support payments.

Pogemiller's measure allows parties, by mutual consent, to waive the automatic income withholding contingent upon the establishment of an escrow account equal to two months of child support payments.

Debate on Pogemiller's bill revolved around the establishment of an escrow account which requires a one-time up-front deposit of funds and an amendment offered by Sen. Fritz Knaak (R-White Bear Lake) which allows for funds to be deposited over a period of time into the escrow account. Knaak argued that following a divorce, money is tight and the obligor may not have the escrow funds in a lump sum. Knaak's amendment was voted down, by a roll call vote of 31-32.

Four additional bills received final passage on Special Orders. H.F. 2291, carried by Sen. Donald Moe (DFL-St. Paul), affects state agencies. The measure amends, enacts, and repeals certain laws administered by the Dept. of Administration. The measure also increases the powers of the State Board of Community Colleges and changes criteria for the Board's membership.

Under S.F. 2221, carried by Sen. Gary DeCramer (DFL-Ghent), motorcyclists will be required to pay more money for renewing or duplicating their motorcycle licenses. The measure increases the renewal fee by \$2 and the duplicate fee by \$1.50. The bill also increases the percentage of money appropriated for motorcycle safety training.

H.F. 2520 makes small changes in legislation passed last session, according to the author, Sen. Randolph Peterson (DFL-Wyoming). The bill clarifies procedures and fees that relate to the statewide Uniform Commercial Code computerized filing system.

H.F. 2108, authored by Sen. Don Moe (DFL-St. Paul), ratifies the labor agreements, compensation plans and salaries for state employees agreed upon by various bargaining units and the state. A controversial provision limiting the number of highway patrol supervisors was amended out of the bill.

Additional Senate action included concurrence and repassage of two bills. The author of S.F. 1721, Sen. Florian Chmielewski (DFL-Sturgeon Lake), explained that the measure clarifies the legislative intent of the parental leave legislation passed last year. The bill specifies that the six weeks of parental leave does not affect, nor subtract, from employee accrued sick leave.

The "HMO Consumer Bill of Rights" bill, S.F. 1388, carried by Sen. Linda Berglin (DFL-St. Paul), protects HMO enrollees in cases of HMO insolvency.

Other action included the adoption of Conference Committee Reports on two bills. Both bills were unanimously repassed and sent to the Governor for his signature. H.F. 1790, sponsored by Sen. Sam Solon (DFL-Duluth), provides for performance of will searches upon a safe deposit box renter's death. S.F. 2137, carried by Sen. James Pehler (DFL-St. Cloud), modifies school health service requirements.

In other action, Senators adopted conference committee reports and granted final passage to a number of measures. S.F. 2165, authored by Sen. Gregory Dahl (DFL-Coon Rapids), requires that persons notify the pollution control agency of and take steps to avoid air pollution. S.F. 321, authored by Sen. Gene Merriam (DFL-

Coon Rapids), includes other substances, such as glue for sniffing, in the definition of "driving under the influence." S.F. 1727, authored by Sen. Pat Piper (DFL-Austin), defines employment and training data as private data on individuals. S.F. 1608, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), updates references in Minneapolis' development laws. S.F. 2071, also authored by Pogemiller, requires that a neighborhood impact statement be submitted as part of the presentence investigation report for controlled substance offenses. H.F. 2038, carried by Freeman, regulates youth employment programs.

Senators also granted final approval to several items on the Special Orders calendar. S.F. 2465, authored by Sen. William Luther (DFL-Brooklyn Park), amends the authority of the Minnesota Amateur Sport Commission and authorizes the commission to establish nonprofit corporations and charitable foundations. H.F. 2388, carried by Sen. Carl Kroening (DFL-Mpls.), allows for the reclassification of some jobs at the University of Minnesota.

Senators also granted final approval to H.F. 2526 after considerable debate. The bill, carried by Sen. James Metzen (DFL-So. St. Paul), contains a policy statement declaring that the legislature continues to find it in the public interest for real estate brokers, salespeople and closing agents to provide drafting services for real estate closings, either with or without compensation. Spear spoke in opposition to the bill, saying that realtors already provide the services and they should not charge another fee. However, Metzen responded that if attorneys provided the services, they would charge more. Senators approved two amendments, offered by Freeman, before passing the bill.

## Wednesday, April 13

### Six measures granted repassage

In addition to approving S.F. 121, imposing a \$10 fine for failure to wear seat belts, the Senate, Wed., Apr. 13, gave repassage to six other measures that had been approved and amended by the House. All of the bills were forwarded to Gov. Rudy Perpich for his signature.

S.F. 1086, carried by Sen. James Pehler (DFL-St. Cloud), permits charitable trusts to dispose of bank assets. S.F. 2111, sponsored by Sen. Steven Novak (DFL-New Brighton), authorizes the Office of Pipeline Safety to inspect and regulate intrastate pipeline facilities.

S.F. 462, authored by Sen. Richard Cohen (DFL-St. Paul), sets guidelines for the distribution of marital assets in divorce cases and S.F. 2275, also sponsored by Cohen, defines the courts' protection services jurisdiction over juveniles. S.F. 1708, carried by Sen. Gregory Dahl (DFL-Coon Rapids), allows managers of credit unions to serve as directors and specifies situations when a credit union board member may be expelled.

Child support enforcement conditions are contained in S.F. 1582, a bill sponsored by Sen. Linda Berglin (DFL-Mpls.).

In the mid-afternoon part of the session the Senate took up two items on Special Orders. S.F. 2163, sponsored by Sen. William Luther (DFL-Brooklyn Park), was given final passage. The bill limits the Metropolitan Council's taxing authority and allows the Metropolitan Council to make loans to municipalities for the purchase of lands for right-of-ways. An amendment offered by Luther added a provision requiring updates of environmental impact statements on lands being purchased for right-of-ways. S.F. 2473, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), also gained final approval. The bill regulates workers' compensation self-insurance and establishes a self-insurer guaranty fund.

The Senate adopted two conference committee reports and granted final passage to both of the bills. S.F. 2009, carried by Sen. Linda Berglin (DFL-Mpls.), clarifies provisions in regard to child support laws, provides for cost-of-living adjustments for spousal maintenance awards, and clarifies that grandparent visitation rights apply in all family law proceedings. S.F. 2003, sponsored by Sen. Donald Moe (DFL-St. Paul), is essentially a Dept. of Employee Relations housekeeping measure and clarifies numerous laws relating to state employees.

# 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. Wedgscheid  
 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 Metzzen 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 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 — 1988 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	IR	296-5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap	29	DFL	8869	Luther, William P.	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4154	Merriam, Gene	122 Cap.	49
IR	4131	Bernhagen, John	113 SOB	21	DFL	4370	Metzen, James	303 Cap.	39
DFL	2084	Bertram, Joe Sr.	323 Cap.	16	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	2577	Moe, Roger D.	208 Cap.	2
IR	4848	Brataas, Nancy	139 SOB	33	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	IR	1282	Olson, Gen	133 SOB	43
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
IR	0415	Decker, Bob	151 SOB	4	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"	326 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	G-28 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	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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# Briefly

The Minnesota Senate Week in Review

April 27, 1988

## Session adjourns

President of the Senate Jerome Hughes rang down the gavel on the 75th Legislative Session shortly after 3:00 a.m. the morning of Tuesday, April 26. Members of the Senate had devoted the last day of the session to action on a major tax bill and the omnibus education funding bill. In addition, Senators struggled to reach agreement on a workers' compensation reform package and completed action on a number of smaller bills. The session ended with Majority Leader Roger Moe and Minority Leader Duane Benson thanking Senators and staff for their work and dedication during a successful Legislative Session. As a result of this session, Minnesotans will have the opportunity to vote on the lottery question and on the environmental trust fund. In addition, work was completed on major even-year spending bills and a comprehensive highway funding package was developed.

## Education funding bill approved

The Senate adopted the conference committee report and granted final passage to H.F. 2245, the education funding bill, during its final meeting Monday, April 25. The \$38 million bill is a slight backing off from the reform enacted last session, according to sponsor Sen. Randolph Peterson (DFL-Wyoming).

A key provision in the bill expands the open enrollment options program statewide beginning in 1990-1991. Districts with more than 1,000 pupil units, however, must have open enrollment beginning in 1989-1990. Although a district may decide not to allow nonresident students to attend its schools, it must allow its students to attend other districts. The bill also establishes deadlines for application and acceptance of students.

Other portions of the bill address the question of American Indian students and their unique academic needs. School boards of districts in which there are ten or more American Indian children enrolled are required to actively recruit American Indian teacher applicants. H.F. 2245 also mandates the state board of education to develop a scholarship program for American Indian people to become teachers.

The measure sets the general education mill rate for fiscal year 1990 at the rate that will yield \$1,100,580,000. The basic transportation levy for that year will be at the mill rate that will yield \$72,681,200. The bill sets the formula allowance for fiscal year 1989 at \$2,755; for 1990, the allowance is set at \$2,800.

Other appropriations in the bill include integration grants for Duluth, Minneapolis, and St. Paul, and funding a special education deficiency.

## 1988 tax bill passes 58-7

Sweeping property tax reforms; income, sales and property tax relief; and repeal of tax laws enacted last year make up the 1988 Omnibus Tax Bill, passed by the Senate in the early morning hours of Tuesday, April 26.

The conference committee report on H.F. 2590 received non-partisan support on a 58-7 roll call vote.

The measure addresses the concerns of tax payers and not only tax users, according to Sen. Douglas Johnson (DFL-Cook), chief author of the bill. The property tax reform provisions were referred

to by both Johnson and Sen. Steven Novak (DFL-New Brighton), chair of the Property Tax and Local Government Aids Division, as the most dramatic change in the tax system since 1971. The bill links property taxes to current market values with the result of reducing property taxes by about \$100 million a year.

The bill's authors said the measure simplifies the system and gives local units of government more flexibility and more responsibility within the tax system. Under the bill, the state will assume funding responsibility for entitlement programs. Basic municipal services will be met in all communities, with state aid if needed, despite the amount of money raised through property taxes. The property tax reform provisions will take effect in 1990.

The measure will also provide about \$105 million in income, sales and corporate property tax relief through 1989. Insurance premiums taxes on mutual insurance companies' premiums will be reduced from two percent to 1.5 percent; the homestead credit will be increased slightly in 1989 but phased out in 1990; the one-third cut in renters' credits will be restored for 1987 claims but the renters' credit will be available only for the lowest income groups starting in tax year 1988. The sales tax on non-prescription drugs, sales taxes on purchases by state colleges and universities, and double taxation on Individual Retirement Accounts (IRA) will all be eliminated.

The measure was sent to the governor for his signature.

## Lottery, highway funding compromises reached

The Wednesday, April 20, floor session resulted in the resolution of several complex issues before the Legislature this year. Minnesotans will have the opportunity to vote on the lottery question and on whether to have an environmental trust fund under a compromise reached by Legislative leaders. H.F. 2182, sponsored in the Senate by Majority Leader Roger Moe (DFL-Erskine), provides for the two constitutional questions to be placed on the ballot next November. The measure also includes provisions dedicating one half of the lottery proceeds to the new environmental trust fund and one half of the lottery proceeds to the Greater Minnesota Corporation fund. The controversial package avoids constitutionally dedicating the funds which had been the original Senate position. However, opponents of the measure argued against having the two constitutional questions contained in the same bill. Moe, however, successfully argued that to insure stable funding of the trust fund over the first five years it was necessary to include the statutory dedication of lottery proceeds.

The highway funding controversy was also resolved Wednesday evening with the adoption and passage of the conference committee report on H.F. 1749. The measure, sponsored by Sen. Clarence Purfeerst (DFL-Faribault), contains a three cent per gallon gasoline tax increase and the transfer of funds from the Motor Vehicle Excise Tax to the Highway Fund. The original Senate version of the bill had provided for a one time general fund appropriation rather than the MVET transfer. According to Purfeerst, the bill insures "funding for a good, viable transportation system in the years to come." The measure also repeals the "trigger tax" that would increase corporate and personal income taxes should the state's budget reserve fall below a certain amount. Finally, the bill provides for a three year study commission and specifies that the gasoline tax increase become effective on May 1, of this year.

# Floor Action

Thursday, April 14

## MacBride Principles passed

The first order of business taken up during the morning floor session of the Senate was H.F. 453, authored by Sen. Jerome Hughes (DFL-Maplewood), containing the MacBride Principles.

H.F. 453, "The Irish Human Rights Bill," memorializes the President and Congress to encourage companies doing business in Northern Ireland to take affirmative action to eliminate religious and ethnic discrimination in Northern Ireland.

The focus of discussion among Senators on the measure revolved around philosophical differences relating to the Minnesota State Senate's role in addressing the turbulence in Northern Ireland.

According to Sen. Donald Moe (DFL-St. Paul), "We do not help the situation in Northern Ireland by endorsing the MacBride Principles." In agreement, Sen. Fritz Knaak (IR-White Bear Lake) added, "Fighting in Northern Ireland is none of our business."

Conversely, Hughes and Sen. Phyllis McQuaid (IR-St. Louis Park) strongly urged the passage of the resolution. McQuaid claimed, "We cannot ignore what the British are doing to the Catholics in Northern Ireland." Hughes further argued, "It is a life or death matter, not a foreign policy matter. It is a Minnesota matter."

The measure received final passage on a 39-21 vote of the Senate.

The Senate also adopted the conference committee report on H.F. 2536 and repassed the bill 56-0. Sen. Donna Peterson (DFL-Mpls.), author of the legislation, explained that the bill, introduced last year, directs the statewide computerized voter registration system to satisfy requirements for duplicate registration files. The bill also establishes a voter registration account in the state treasury and changes certain procedures related to voting.

## Final approval given bills

Senators gave final passage to S.F. 1661, relating to charitable gambling, after adopting the conference committee report during the afternoon session Thurs., Apr. 14.

The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul), specifically focuses on regulating bingo halls. It requires organizations to be directly responsible for the bingo it conducts on premises that it leases and redefines "gross receipts." The bill also mandates a study on charitable gambling by the Senate and House General Legislation Committees.

Senators approved a number of other measures after adopting their conference committee reports that afternoon. H.F. 1795, carried by Sen. Linda Berglin (DFL-Mpls.), creates a task force to study building code standards for family and group family day care homes and sets up an exemption from certain building code standards for those homes until the legislature adopts new standards. H.F. 1966, carried by Sen. William Belanger, Jr., (IR-Bloomington), provides for filing requirements of variances and certain official maps to real property. H.F. 1851, carried by Sen. Jim Vickerman (DFL-Tracy), regulates the duties of town officers. H.F. 1817, carried by Sen. Darril Wegscheid (DFL-Apple Valley), regulates placing decoys in public waters or on public lands, requires personal flotation or lifesaving devices in duck boats, and regulates bear baiting. H.F. 236, carried by Sen. Donna Peterson (DFL-Mpls.), requires fair campaign practices and imposes penalties.

In other action, Senators gave concurrence and repassage to a variety of bills. S.F. 1932, authored by Sen. Mel Frederick (IR-Owatonna), exempts private carriers of fuel for use in agriculture-related businesses from federal hazardous materials regulations. S.F. 2217, carried by Sen. Steven Novak (DFL-New Brighton), authorizes the transfer of certain state lands in Ramsey county to the city of Mounds View. S.F. 1900, sponsored by Sen. Betty Adkins (DFL-St. Michael), sets the bonding authority of the Metropolitan Airports Commission. S.F. 2017, authored by Berglin, authorizes the board of Gillette Children's Hospital to incorporate as a nonprofit corporation and terminates the hospital's status as a public corporation. S.F. 1937, authored by Sen. Michael Freeman (DFL-

Richfield), is the bill providing for the forfeiture of property used in the commission of a crime.

Other bills granted final passage after adoption of conference committee reports include S.F. 2150, sponsored by Sen. Charles Davis (DFL-Princeton), which prohibits the state from requiring Indian bands to deny their sovereignty to contract with the state. S.F. 1610, carried by Sen. Joe Bertram, Sr., (DFL-Paynesville), provides for the display along highways of specific service signs relating to rural agricultural businesses and places of worship.

## Wage protection plan advances

The early evening portion of the floor session was devoted to two measures on the Special Orders Calendar and the adoption and repassage of conference committee reports. Both measures gaining final passage on the Special Orders Calendar sparked significant debate.

S.F. 1093, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), establishes a "wage protection" program for the employees of businesses that go bankrupt. Under the bill, \$200,000 would be set aside in a revolving fund for employees who do not get paid when a business goes bankrupt. The employees would be eligible for four weeks pay or a maximum of \$2,000. The state would then seek to recover the amount paid to employees plus a penalty of up to 25 percent from the assets of the business. According to Chmielewski, employees currently have to file individual law suits in order to recover lost wages; the bill, however, would provide a more convenient and efficient mechanism for paying employees the wages due them.

The second measure to generate significant debate, H.F. 2041, authored by Sen. Charles Davis (DFL-Princeton), was the agriculture limited partnership bill. The measure limits ownership of agricultural land by certain corporations and limited partnerships. According to Davis, the bill is designed to protect agricultural land from "rural raiders" and land speculation. "The controls in this bill are very moderate," Davis said, "and the bill does nothing to alter existing land holdings." Under the measure, future holdings are restricted to 1500 acres with at least 60 percent of the land used for farming. Numerous amendments were discussed and adopted before the bill gained final passage on a vote of 46-7.

In other action, Senators adopted six conference committee reports and repassed the bills. S.F. 1646, authored by Sen. Gary DeCramer (DFL-Ghent), originally required insurance coverage for newborn infants with cleft palate and cleft lip. The conference committee report included provisions requiring coverage for services provided to a ventilator-dependent person, modifying coverage for adopted children, and providing payment and subrogation rights for medical care and services provided to inmates. H.F. 2255, sponsored by Sen. Jim Vickerman (DFL-Tracy), extends benefits under the family farm security act and provides that personal financial information, credit reports, financial statements, tax refund calculations, and net worth statements received or prepared by the commissioner regarding any family farm security loans, are private data on individuals.

H.F. 2265, sponsored by Sen. Charles Berg (DFL-Chokio), authorizes a season on crows, regulates seasons and the release and taking of pheasants on private shooting preserves, authorizes residents under the age of 16 to take turkeys if they possess a firearms safety certificate, authorizes nursing home residents to fish without a license, authorizes disabled hunters to take deer or turkey with crossbows, exempts hunters on shooting preserves from the pheasant stamp requirement, authorizes the use of battery powered landing nets in taking fish, regulates the taking of walleyed pike in the Rainy River, redefines a private fish hatchery for licensing purposes, regulates the acquisition and transportation of minnows, regulates the mesh size of Lake Superior ciscoe nets, and authorizes the aeration of public waters by riparian landowners under permit. H.F. 2568, carried by Sen. Tracy Beckman (DFL-Bricelyn), provides for terms and compensation for members of the Minnesota Agricultural and Economic Development Board, clarifies the small

business development loan portion of the agricultural resource loan guarantee program and establishes requirements for revenues that can be used in a local revolving fund.

H.F. 2036, sponsored by Sen. William Luther (DFL-Brooklyn Park), prohibits the possession as well as the selling and use of fireworks. In addition, the Senate version of the bill had called for a felony penalty for possession of more than 100 pounds of explosive fireworks. However, the conference committee report specifies a gross misdemeanor penalty as the maximum penalty for possession of more than 35 pounds of explosive fireworks. H.F. 2185, carried by Sen. LeRoy Stumpf (DFL-Plummer), adjusts the maximum height of deer stands to 16 feet and regulates the placing of decoys in public waters.

## Friday, April 15

### Corporate takeover changes approved

Amendments to shareholder protection and corporate takeover legislation were approved by the Senate on Fri., Apr. 15 during the early afternoon part of the session. H.F. 2253, carried by Sen. Ember Reichgott (DFL-New Hope), was taken from the table and given final passage. The Senate inserted the language of S.F. 1892 onto the bill and adopted an amendment that eliminates the Dayton Hudson protections passed in the 1987 special session. The amendment, offered by Sen. William Luther (DFL-Brooklyn Park), postpones by one year, until 1990, protections from hostile takeovers. The amendment was adopted on a 32-31 roll call vote.

Concurrence and repassage were granted to 11 bills. S.F. 2214, authored by Sen. Gene Merriam (DFL-Coon Rapids), authorizes the Dept. of Natural Resources to sell surplus lands to local governments for recreation and natural resource uses. The conference committee made changes in the bill that impact easements and mineral interests on the lands.

S.F. 1885, carried by Sen. Donna Peterson (DFL-Mpls.), regulates motor fuel franchises and S.F. 1268, authored by Sen. John Marty (DFL-Roseville), describes the powers and duties of the Commissioner of Energy and Economic Development. Changes in community-based human resources treatments for persons with indeterminate commitments are contained in S.F. 2055, sponsored by Sen. Linda Berglin (DFL-Mpls.). H.F. 10, authored by Sen. Tad Jude (DFL-Maple Grove), provides that the crying of a child does not constitute provocation under first degree manslaughter statutes. H.F. 421, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allows the commissioner of health to issue subpoenas as part of an investigation to determine whether agents such as asbestos have contributed to health problems.

Establishment of a task force to study the relationship between the district court and the counties in the state and make recommendations to the 1989 Legislature is contained in H.F. 1844, authored by Sen. Richard Cohen (DFL-St. Paul). S.F. 2323, carried by Sen. Darril Wegscheid (DFL-Apple Valley), allows banks to make certain investments and S.F. 1769, carried by Reichgott, clarifies situations of discrimination based on beliefs held by a spouse and mobile home park residents. S.F. 2226, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), amends the sunset dates for advisory councils, committees, and task forces. S.F. 1462, sponsored by Sen. Gregory Dahl (DFL-Coon Rapids), creates a low-income housing trust account and alters requirements for real estate trust accounts.

In the later part of the afternoon, the Senate granted final approval to two bills on the Special Orders Calendar.

H.F. 2269, authored by Wegscheid relates to the accreditation of chiropractic schools and the licensure of chiropractors. Wegscheid's motion to adopt the House language failed to pass. The House bill would have required that all chiropractic schools be nationally accredited by the Council on Chiropractic Education. Senators Berglin, John Brandl (DFL-Mpls.), and Marilyn Lantry (DFL-St. Paul), in opposition to the House language, argued that the required final national board examination provides that uniform standards will be met and thus accreditation may be given by an agency approved by the United States Office of Education. The Senate language was maintained.

Two amendments were adopted to H.F. 2269. The first, offered by Sen. Ronald Dicklich (DFL-Hibbing), permits insurance companies to allow for the return of premium benefits under certain conditions. The other amendment, proposed by Chmielewski, provides that screening procedures for cancer, such as pap smears and mammograms, are covered by insurance when those tests are ordered by a physician. The bill passed as amended.

S.F. 1645, sponsored by Marty, is a revisors bill correcting erroneous, ambiguous, omitted and obsolete references and text. The measure was granted final passage.

In other action, the Senate worked on conference committee reports and granted final passage to four bills. S.F. 1742, authored by Sen. Charles Berg (DFL-Chokio), clarifies the right of first refusal and places certain restrictions on former land owners. S.F. 392, sponsored by Sen. Allan Spear (DFL-Mpls.), requires impoundment of license plates of repeat DWI offenders, imposes mandatory minimum sentences for repeat DWI offenders, and creates a commission to study the ignition interlock device.

S.F. 1871, carried by Sen. Jim Ramstad (IR-Minnetonka), prohibits false allegations of child abuse in custody proceedings. The conference committee report included the House position which requires the clergy to report of child abuse if they hear of it through a third party. In addition, the bill now requires that a person who has, in the past, abused a particular child and subsequently murders that child through abuse will be charged with murder in the first degree. S.F. 2049, sponsored by Dahl, relates to auto franchises and clarifies the intent of the legislation regarding insurance policies for rental vehicles.

### Workers' comp bill sent to governor

The controversial workers' compensation reform bill received concurrence and repassage during the evening floor session Fri., Apr. 15. According to proponents of the bill, the measure is designed to cut the costs of the system by 16 percent by requiring insurance companies to lower rates by 16 percent. The measure is essentially the same bill passed by the Senate Wed., Apr. 13, however that language was attached to S.F. 2235 by the other body. S.F. 2235, authored by Sen. LeRoy Stumpf (DFL-Plummer), originally limited the distance workers are required to travel to undergo medical examinations for workers' compensation purposes. The bill acted upon by the Senate, though, contains the language of S.F. 2428, sponsored by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

Other provisions of the bill alter the benefits for workers injured in the future; abolish the Workers' Compensation Court of Appeals; limit attorneys' fees; limit medical rates, except for hospitals; base benefits on the average after-tax weekly wage rather than the state-wide weekly wage; and institute limited re-regulation of the insurance industry. The bill now goes to the governor for his signature or veto.

In other action Friday evening, heated floor debate erupted over a Senate Resolution condemning violence at abortion clinics. Senate Resolution 14 had been amended, despite sponsor Sen. William Luther's objections, at an earlier floor session. Luther had subsequently tabled the resolution. However, Sen. Jim Gustafson (IR-Duluth), moved to reconsider the amendment, which condemns abortions. The motion to reconsider prevailed and the amendment was again before the body. Sen. Tad Jude (DFL-Maple Grove), chief sponsor of the amendment, hotly defended the amendment by reading extensively from publications supporting his argument. A series of parliamentary decisions limited the discussion and the amendment was defeated on a 28-32 roll call vote. A second amendment, offered by Jude, deploring intimidation of agencies that offer alternatives to abortion, was approved. A third amendment, sponsored by Sen. Joseph Bertram (DFL-Paynesville), declaring that pro-choice groups denounce violence against all groups of people and requiring full documentation of claims of violence before a public agency would respond was also proposed. The amendment was amended, by Sen. Mel Frederick (IR-Owatonna), to say the Minnesota Legislature, rather than the pro-choice groups, deprecates violence. The Bertram amendment was

# Floor Action

then divided and the first portion of the amendment, denouncing violence, was adopted, but the second portion failed on a 25-35 vote. The resolution was then passed on a vote of 37-23.

Three additional bills were granted concurrence and repassage. S.F. 2119, authored by Sen. Allan Spear (DFL-Mpls.), clarifies the assessment duties of local welfare agency in child abuse reporting cases and clarifies the status of records in specific circumstances. S.F. 1809, sponsored by Sen. John Marty (DFL-Roseville), makes changes to the Telephone Assistance Program enacted last years and provides for combining local telephone service surcharges for emergency telephone service, telephone access for the communication impaired and the telephone assistance plan into one charge or into the bill; requiring the department to administer the plan; adding low-income disabled persons to those eligible for assistance; and clarifying the administration of the program. S.F. 1228, authored by Sen. Steve Morse (DFL-Dakota), provides that the student member of the Higher Education Coordinating Board may vote.

## Saturday, April 16

### Interstate banking bill repassed

The Senate approved a compromise interstate banking bill early in the afternoon on Sat., Apr. 16. S.F. 203, authored by Sen. Michael Freeman (DFL-Richfield), adds nine states to Minnesota's interstate banking region. The compromise was developed in a conference committee. The Senate had proposed the addition of 12 states and the House, five states. The bill also requires that before banks may be purchased in other states, reciprocal legislation must be in place. The measure was repassed on a 38-24 roll call vote and sent to the governor for his signature.

Four other bills received concurrence and repassage. Sen. Richard Cohen's (DFL-St. Paul) bill, S.F. 2266, authorizes counties to establish pilot child protection worker training projects to assist in child abuse cases. Patient access to medical records and other procedures for handling private data are contained in S.F. 2122, carried by Sen. Randolph Peterson (DFL-Wyoming). S.F. 1955, sponsored by Sen. Steven Novak (DFL-New Brighton), allows Ramsey County to use land dedicated for open space for highway purposes, describes the powers and duties of the county charter commission and extends the existence of the commission by one year. S.F. 1711 regulates Carlton County's employee retirement system and permits Aitkin County to regulate lands adjacent to public waters. Sen. Florian Chmielewski (DFL-Sturgeon Lake) sponsored the measure.

The Senate took H.F. 2228 from the table and gave the bill final passage. The measure, sponsored by Cohen, relating to chemical abuse preassessment teams in schools contains changes in data privacy provisions. An attempt by Sen. Donald Storm (IR-Edina) to amend the bill to require school boards to adopt policies for notifying law enforcement agencies of chemical abuse violations failed. Cohen successfully argued that such a policy may conflict with federal statute.

The Senate also took up S.F. 1686, carried by Chmielewski, requiring the grade of dry edible beans be listed on warehouse receipts. The original bill's language was significantly amended and the bill returned from the conference committee with language designating the blueberry muffin the official state muffin.

A lengthy discussion of the bill followed with some members calling the amendment "frivolous" and others supporting the provision because it has taught Carlton, Minnesota third graders, who proposed the designation, how the legislative process works. The Senate voted 30-28 on a motion by Sen. Steven Morse (DFL-Dakota) to have the bill re-referred to the conference committee. However, Sen. A.W. "Bill" Diessner (DFL-Afton) moved later in the afternoon to reconsider the bill and S.F. 1686 was repassed.

### Lengthening of legislators' terms defeated

Sen. Keith Langseth's (DFL-Glyndon) bill, S.F. 762, lengthening the terms of Senators to six years and of Representatives' to four

yearstaggered terms failed to pass in the late afternoon floor session by a vote of 23-33.

Senators attempted to attach a number of amendments to the measure but all were either defeated or ruled not germane except for an amendment, offered by Sen. William Luther (DFL-Brooklyn Center), which requires staggering Senators' terms as well. Two other amendments were defeated. Sen. Fritz Knaak (IR-White Bear Lake) proposed an amendment to eliminate the House of Representatives by a constitutional amendment. Sen. Jim Ramstad (IR-Minnetonka) submitted an amendment to reduce the size of the Legislature to between 120 and 168 members by a constitutional amendment.

The Senators also took up H.F. 2468, sponsored by Sen. David Frederickson (DFL-Murdock). The bill relates to economic development and authorizes the Commissioner of Economic Development and Trade to award at least nine percent of the value of all procurements to businesses owned and operated by socially or economically disadvantaged persons. Under the provisions of the bill, the Commissioner must also designate set-aside procurements in a manner that will encourage proportional distribution of set-aside awards among the geographical regions of the state.

Chmielewski submitted an amendment to repeal the cap of five years for new businesses and thus allow for more bidding and reduced costs. After much debate, Chmielewski withdrew the amendment. The bill was then granted final passage.

In other action, the Senate took up conference committee reports and granted final passage to six bills. H.F. 2031, authored by Sen. Gene Merriam (DFL-Coon Rapids), returned from the conference committee with a number of significant changes. The bill allows metropolitan officials to continue searching for new landfill sites, requires the Metropolitan Council to examine how existing landfills can be used more efficiently over the next 20 years, and requires the Pollution Control Agency to develop programs for safely storing incinerator ash in landfills. The bill maintained the Senate positions regarding yard waste disposal, regulation of waste disposal fees, and requirements for recycling space in buildings.

H.F. 2596, carried by Sen. John Marty (DFL-Roseville), requires metropolitan agencies to attempt to award at least nine percent of procurements to businesses owned and operated by socially or economically disadvantaged person; ten percent of the contract award to a prime contractor be subcontracted to a business owned and operated by socially or economically disadvantaged persons; and six percent of the value of all procurements for consultant services or professional or technical services to businesses owned and operated by socially or economically disadvantaged persons. In addition, the bill requires that metropolitan agencies develop, submit plans, and monitor affirmative action programs.

H.F. 257, sponsored by Sen. Donald Moe (DFL-St. Paul), provides that certain employees who are eligible to retire are eligible for state-paid insurance benefits and authorizes employer contributions to a deferred compensation plan if provided for in personnel policy or in collective bargaining agreement in an amount matching employee contributions but not in excess of \$2000 a year.

A bill regulating health maintenance organizations (HMOs), H.F. 2127, authored by Sen. John Brandl (DFL-Mpls.), was also passed. The bill provides for alternative coverage for enrollees of an insolvent HMO; requires HMO's to maintain liabilities for unpaid claims; mandates insolvency insurance policies to be filed; requires a deposit; and creates a net worth requirement.

H.F. 2291, carried by Moe, contained two significant changes from the original Senate bill. The bill, as passed, requires the Commissioner of Administration to consider the provision of child care facilities in new state office space and requires state agencies to adopt policies regulating smoking in space under their control.

Finally, S.F. 412, authored by Luther, creates a lien against real property where the state has incurred cleanup expenses and the owner is liable for the expenses and provides for procedures for implementation and enforcement of the lien.

The Senate granted concurrence and repassage to S.F. 994. The bill, authored by Sen. Marilyn Lantry (DFL-St. Paul), clarifies the definition of occupational diseases for first-responders.

Monday, April 18

## Omnibus bills gain final passage

Both the Health and Human Services omnibus bill, H.F. 2126, and the agriculture omnibus bill, H.F. 1000, received final passage by the Senate after the bills' conference committee reports were adopted.

Chair of the Health and Human Services Division of Finance, Don Samuelson, declared that the Health and Human Services omnibus bill "is a good bill based on sound policy and adequately reflects the needs of the health and human service programs for the current fiscal year."

The \$28.3 million measure reappropriates unspent welfare funds and does not increase health and human service expenditures for the biennium. The major provisions of the bill include an increase in nursing home funding by \$7.2 million; a \$5.9 million increase for Regional Treatment Centers to fund 175 additional mental health staff positions; an appropriation of \$3.2 million, which will be transferred to the Board of Veterans Homes, to fund 84 additional positions at the veterans homes; and a \$3.6 million appropriation to expand the Medical Assistance Program to cover pregnant women and infants up to 185 percent of the poverty line. Additionally, the measure expands the Children's Health Plan to cover children up to age nine.

The agriculture omnibus bill discontinues the interest buy-down program and cancels the program's unspent \$14 million into the general fund. According to Davis, the omnibus bill reappropriates \$4 million of the \$14 million.

The largest appropriations in the bill include \$1.3 million to finance farm practices that reduce energy dependency, and \$800,000 for a school milk program to provide at least one glass of milk per school day to kindergarteners in public and private schools. Additionally, the measure appropriates \$200,000 for the farm-lender mediation program to be available until June 30, 1989.

Other business taken up by the Senate included the repassage of three bills that had been amended in conference committees and a resolution.

H.F. 1943, carried by Sen. Florian Chmielewski (DFL-Sturgeon Lake), permits the sale of certain tax-forfeited lands that border public waters and provides for the exchange of certain tax-forfeited peat lands. The measure also permits certain counties to levy a tax for the county historical society.

H.F. 2041, authored by Davis, limits ownership of agricultural land by certain corporations and limited partnerships. Additionally, the measure provides for conveyance of certain interests.

Davis explained amendments adopted in conference committee. The first amendment changes the minimum ownership by active farmers from a majority to 51 percent. In the Senate bill, ownership had been 60 percent, and in the House bill, ownership had been restricted to 90 percent. The second amendment changes the ownership of general partners from the Senate's version of 20 percent to 51 percent. Sen. Charles Berg (DFL-Chokio), who voted against the repassage of the bill, argued, "Fifty-one percent ties the noose too tight."

Sen. William Luther's (DFL-Brooklyn Park) bill, S.F. 2491, relates to metropolitan government. The measure establishes requirements on metro agency organization, authority, work programs, budgets, and reports. Luther explained that the key issue in negotiating a compromise between the Senate and House versions of the bill centered around the involvement of the the Metropolitan Council and the Regional Transit Board in the oversight of the Light Rail Transit (LRT) plans. The compromise bill authorizes a slight increase in review and commentary power by the Council and the Board regarding the LRT plans.

Senate Majority Leader, Roger Moe, moved Senate Concurrent Resolution 13 for adoption before recessing for the afternoon. The Resolution establishes July 2 and 3 as the annual peace and friendship days between Minnesota, Manitoba, North Dakota, and Saskatchewan.

Tuesday, April 19, 1988

## Transportation provisions repassed

A transportation bill, H.F. 1526, combining provisions from six bills added in a conference committee, gained the Senate's concurrence and repassage, Tues., Apr. 19.

Sen. Gary DeCramer (DFL-Ghent), sponsor of the original bill, said the conference committee report includes provisions for four-wheel all-terrain vehicles owned and operated by a physically handicapped person; defines a limousine as a for hire vehicle with rear seating capacity of up to nine passengers and establishes a special limousine license plate fee of \$10; provides that a \$100 fee for personalized license plates is a one-time fee; authorizes the issuance of special license plates to veterans for a \$10 fee plus regular registration taxes; deletes the \$10 fee for ex-POW license plates and replaces it with an actual cost fee; limits to 30 mph the speed at which a farm trailer not equipped with brakes and weighing over 6,000 pounds may be pulled; authorizes the erection of Star County signs on highways in the same manner as Star City signs; and imposes a tax of \$90 on the sale or transfer of collector cars in lieu of the motor vehicle excise tax.

Senate Minority Leader Duane Benson (IR-Lanesboro) and Sen. Fritz Knaak (IR-White Bear Lake) questioned whether the conference committee properly handled the bill by rolling new provisions into the measure through "informal" meetings but Senate President Jerome Hughes (DFL-Maplewood) ruled that the point of order was not well taken and that the conference committee report was in proper order.

The Senate also granted concurrence and repassage to two other measures and adopted the conference report to S.F. 1643 in the early afternoon. S.F. 1643, sponsored by Sen. Ember Reichgott (DFL-New Hope), provides for the prosecution of two types of child abuse and removes the requirement that "substantial emotional harm" must be evident before prosecution of child abuse cases may occur. S.F. 1830, carried by Sen. Jim Ramstad (IR-Minnetonka), regulates the activities of sports agents in recruiting student athletes and provides civil penalties for violations.

Recodification of laws governing savings and loan associations and regulating the activities of savings and loan associations are contained in S.F. 1956, sponsored by Sen. Randolph Peterson (DFL-Wyoming).

The Senate took up one item on the Special Orders Calendar and gave the bill, H.F. 2407, final passage. Sen. William Luther (DFL-Brooklyn Park), author of the measure, said the bill provides that employees and officers of the World Trade Center and the Greater Minnesota Corporation are state employees for purposes of state tort claims. Sen. Fritz Knaak (IR-White Bear Lake) attempted to remove the provision through an amendment but the amendment failed on a 19-19 roll call vote. An amendment allowing proxies at meetings and elections, offered by Sen. Richard Cohen (DFL-St. Paul), was adopted.

In other action, Sen. Mel Frederick (IR-Owatonna) moved under Rule 40 to withdraw S.F. 186, providing for a transfer of 100 percent of motor vehicle excise tax funds for highway and transit funding, from the Transportation Committee and place the bill on Special Orders. The motion failed on a 19-36 vote.

## Higher ed, state departments bills repassed

The latter part of the Tues., Apr. 19, floor session was devoted to explanation and debate on two conference committee reports on omnibus spending bills. The first bill, S.F. 2569, carried for the committee by Sen. Gene Waldorf (DFL-St. Paul), is the higher education spending bill. According to Waldorf, the conference committee report which carries a total general fund appropriation of \$24 million, maintained the Senate position on several significant provisions. The bulk of the appropriation, about \$14.3 million, will go to the Community College System, the State University System and the Technical Institutes to offset costs arising from higher enrollments. Included in the appropriation for the Technical Institutes is a \$400,000 appropriation for handicapped services. In

addition, \$350,000 is provided for a "university center" in Rochester to be administered by the University of Minnesota. The conference committee report provides for a Regents Candidate Advisory Council, includes the U of M in the agencies to be audited by the Legislative Auditor, provides for a study of alternative governance patterns for Technical Institutes, funds the establishment of the Wolf Center, provides funds to the Super Computer Institute for the second architecture and requires each system to assess the effects of recent child care legislation and to make recommendations.

The measure also includes three House provisions and several small provisions from both bodies that would have been in a bonding bill. Among those provisions are sections providing for handicapped access in Granite Falls, child care in Jackson, and additional funding for a Faribault project authorized last year. In addition, \$1.3 million is earmarked for the purchase of the St. John's Hospital site in St. Paul for the Metropolitan State University.

The second major conference committee report to gain Senate approval, H.F. 2344, was the omnibus state departments funding bill. The measure, carried for the committee by Sen. Carl Kroening (DFL-Mpls.), appropriates \$22 million from the general fund to various state agencies. Discussion on the bill, which lasted about three hours, revolved primarily around two issues: authorization for the Suburban Hennepin Regional Park District to acquire land by eminent domain for a Lake Minnetonka public access and park and a provision to forgive loans made to the cities of Minneapolis and St. Paul for the elimination of combined sewer overflow.

Other appropriations include \$11.2 million for employee health insurance increases, \$1.2 million to the Zoo for whale tank renovation, \$430,300 to the World Trade Center for operating expenses, an open appropriation to the Dept. of Natural Resources for emergency fire fighting, and funding for the Wolf Center and the Lac Qui Parle Wildlife Center.

The bill also contains language that provides that ten percent of the political tax check-off to be distributed to the two major political parties. In addition, the measure contains language providing for the distribution of funds from the Exxon Oil Overcharge. Other sections provide for the Celebrate Minnesota 1990 Grant Program, planning for youth employment, forest roads and the disposition of special revenue accounts.

## Wednesday, April 20

### MacBride Principles adopted

Senators adopted the conference committee report on H.F. 453, authored by Sen. Jerome Hughes (DFL-Maplewood), and granted final approval by a vote of 37-28 during the afternoon floor session. The bill, known as the MacBride Principles, returned from the conference committee with significant changes. The House bill originally limited investments in companies doing business in Northern Ireland, protected public pension investment policy, and authorized early unreduced retirement under the rule of 90 for the Minnesota state retirement system and the teachers retirement association. The bill, in its final form, solely encourages corporations in Northern Ireland to pursue affirmative action policies.

Sen. Donald Moe (DFL-St. Paul), in opposition to the conference committee report and the original bill, argued that the MacBride Principles originated in the United States and are against the express interests of the citizens of Northern Ireland. In addition, Sen. Fritz Knaak (IR-White Bear Lake) claimed that the bill sets a bad precedent in terms of pension investment.

In other action, the Senate adopted the conference committee report and gave final passage to S.F. 63 and H.F. 2396. S.F. 63, sponsored by Sen. Marilyn Lantry (DFL-St. Paul), provides for the reissuance of license plates every seven years at a cost of \$2.00 per plate. The final vote was 39-23. H.F. 2396, carried by Sen. Michael Freeman (DFL-Richfield), authorizes the sale of college savings bonds, requires a market and feasibility study and report, provides for the issuance of zero coupon bonds, and appropriates money. The bill returned from the conference committee without the

provision of exempting a specified amount of bonds from consideration in financial aid eligibility.

### Workers' Comp changes okayed

The Wednesday evening floor session resulted in passage of several of the year's more controversial bills. Senators approved bills authorizing two constitutional amendments, one for a lottery and one for an environmental trust fund. Other major pieces of legislation included funding for the state's highways, funding for semi-state agencies and transportation, and a new workers' compensation reform package that responded to concerns enumerated by the governor in his veto of the original workers' comp package.

Senators made another attempt at resolving the workers' compensation controversy. Language from the workers' compensation reform bill that was vetoed by the governor was altered in three areas to accommodate concerns listed in the veto message was amended onto H.F. 1999, a bill dealing with boiler safety. The amendment was adopted after a suspension of the rules allowed the unrelated bills to be joined together. The new language delays the abolition of the Workers' Compensation Court of Appeals, freezes insurance rates from April 10 of this year and provides subpoena powers to the Dept. of Labor and Industry and requires mandatory rehabilitation for persons whose injuries last longer than 13 weeks. The measure was approved on a 44-20 roll call vote and forwarded to the House of Representatives.

The conference committee report for the omnibus semi-states bill, H.F. 2565, explained by Sen. Keith Langseth (DFL-Glyndon), appropriates a total of \$3.274 million to the department of agriculture and semi-state agencies. Major provisions in the bill include \$1.9 million for disaster assistance to match federal funds; \$60,000 for oak wilt control; \$250,000 to the Charitable Gambling Control Board for increased enforcement efforts; \$215,000 to the Board of Water and Soil Resources for comprehensive local water planning; appropriations to the Historical Society and to the State Board of the Arts. The bill also contains transportation appropriations. Under the measure, \$3.58 million goes for non-metropolitan transit assistance; \$4.17 million for planning, preliminary engineering, design and construction of light rail transit. In addition, \$6 million is appropriated to the RTB for metro mobility and \$1.73 million is appropriated to the RTB to improve regular route transit service levels.

Senators also approved two conference committee reports and repassed the bills. S.F. 1590, sponsored by Sen. Jim Vickerman (DFL-Tracy), is another transportation bill that incorporates several provisions. The measure provides that uniform relocation assistance standards comply with recent amendments to federal law; authorizes the commissioner of transportation to accept gifts to the department; authorizes "star county" signs on highways; authorizes ten more Highway Patrol Officers; exempts lessees of highway easement property from tax on its use and possession; and provides that a governmental body may file a deed conveying a partial parcel of land without current taxes having been paid on the whole parcel. The second bill, S.F. 1821, sponsored by Sen. Ember Reichgott (DFL-New Hope), is the police pursuit bill. Under the compromise reached by the conference committee, the bill now provides for forfeiture of an automobile only upon a repeat conviction for the crime of fleeing a police officer. In addition, the conference committee reduced the sanctions on police chiefs who do not comply with the training provisions of the bill by the deadline. The bill also contains three measures that had been approved by the Senate as separate bills. One is the requirement for a warning label on replica or toy guns, the second is the penalties for using replica guns in the commission of a crime and the third is the bill altering laws relating to burglary.

## Monday, April 25

### Senate wraps up business for the session

In addition to acting on the omnibus tax bill and the school

funding bill, Senators also granted concurrence and repassage, acted on Special Orders bills or adopted the conference committee reports to a number of bills.

Senators adopted a conference committee report and granted final passage to H.F. 2477, carried by Sen. Darril Wegscheid (DFL-Apple Valley), which relates to state retirement funds. The bill establishes an individual retirement account plan for state university and community college faculty and makes a number of clarifying and technical changes.

Also given final passage were H.F. 2407, carried by Sen. William Luther (DFL-Brooklyn Park), which provides that municipal volunteers are employees for purposes of tort claims and that employees and officers of the world trade center board and Greater Minnesota Corporation are state employees for purposes of state tort claims, and H.F. 1981, carried by Sen. Gregory Dahl (DFL-Coon Rapids), the state claims bill. Senators also approved Senate Resolution No. 119, sponsored by Sen. Roger Moe (DFL-Erskine) and Sen. Duane Benson (IR-Lanesboro), commending former Sen. Gordon Rosenmeier for his service to the state Senate.

The Senate concurred with conference committee changes to the Omnibus Public Finance bill, S.F. 1963, and repassed the measure. Sen. Lawrence Pogemiller (DFL-Mpls.), the bill's sponsor, said the measure, which regulates the issuance and use of public financing tools, came out of the committee "substantially the same". However, changes included eliminating school district certificates of deposit and Bloomington Port Authority parking ramp provisions, an increase in the amount counties may designate for economic development programs and changes in the amount awarded for administration of the Ramsey-Washington Watershed District.

The Senate gave final approval to H.F. 1941 on Special Orders after defeating attempts to amend major gambling provisions onto the bill. H.F. 1941, carried by Sen. Marilyn Lantry (DFL-St. Paul), extends the time frame cities and counties have to approve charitable gambling license applications. Sen. Bob Lessard (DFL-Int'l. Falls) offered an amendment to attach enabling legislation for a lottery should voters approve a lottery on election ballots. Sen. Ronald Dicklich (DFL-Hibbing) attempted to attach legislation allowing the broadcasting of Canterbury Downs horse races at the Vermilion Reservation Gaming Facility in northeastern Minnesota. Senate President Jerome Hughes (DFL-Maplewood) ruled both amendments not germane.

During the waning hours of the session Senators worked steadily to finish up several measures. S.F. 1744, authored by Sen. Charles Berg (DFL-Chokio), was one of the bills granted concurrence and repassage. The measure, known as the "dangerous dog bill," sets penalties for the owners of dangerous dogs. The other body added a provision prescribing penalties on owners who leave unattended pets in vehicles. H.F. 464, on the Special Orders Calendar, gained final approval. The measure, sponsored by Sen. William Luther (DFL-Brooklyn Center), raises the lifetime cap on major medical health insurance from \$250,000 to \$500,000. A bill, S.F. 2079, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), granting the commissioner of DNR more authority over muskellunge lakes, was also granted concurrence and repassage. Another concurrence and repassage was granted to S.F. 2452. The bill, authored by Sen. Jim Metzen (DFL-So. St. Paul), provides that municipal bomb disposal workers are state employees for purposes tort liability when they are working outside the municipality. The bill also was amended to include a bill authorizing municipality-financed cancer disability benefits for firement with cancer caused by exposure to heat, radiation or a known carcinogen. S.F. 1987, authored by Sen. John Marty (DFL-Roseville), requiring the Dept. of Employee Relations to conduct a study of part-time employees in the administrative branch, was also granted concurrence and repassage.

A controversial campaign financing bill conference committee report was also adopted. The measure, H.F. 2008, authored by Sen. Don Frank (DFL-Spring Lake Park), had been the subject of heated floor debate and had been amended extensively in earlier discussions. The measure, which started out as a housekeeping elections bill, had been amended to include a constitutional amendment to eliminate the office of state treasurer, a prohibition on fundraisers during the legislative session, and several provisions

on the distribution of public campaign financing. The conference committee report stripped away most of the amendments, except for the public financing provisions, and was narrowly adopted and repassed.

A last ditch attempt to pass a third version of the workers' compensation reform bill was also considered during the remaining minutes of the legislative session. Members of the other body attached a new proposal to a bill dealing with firefighters workers' compensation for occupationally related cancer. S.F. 1304, originally sponsored by Sen. Gene Merriam (DFL-Coon Rapids), was amended to include language that, according to spokesman Sen. Douglas Johnson (DFL-Cook), "would strike a balance for long term stability in the workers' compensation while providing a 10.1 percent reduction in cost." The measure, according to Johnson, would cut benefits and costs, provide tough regulation of the insurance industry, and control medical, rehabilitation and attorneys' fees. However, Sen. Charles Berg (DFL-Chokio), offered as a substitute motion that the Senate not concur in the House amendments. Berg's motion prevailed on 38-27 roll call vote.

By tradition, one of the last bills dealt with in any legislative session is the "revisor's" bill. The measure, S.F. 1645, sponsored by Sen. John Marty (DFL-Roseville), contains corrections and technical changes to legislation passed during the course of the session. This year, however, the bill was, at the urging of both the Majority Leader, Roger Moe (DFL-Erskine) and the Minority Leader Duane Benson (IR-Lanesboro), denied concurrence and repassage. According to both majority and minority leadership, the bill contained too many provisions that were actually of a substantive nature.

The final formal actions of the Senate revolved around adoption of closing resolutions and the motion for adjournment sine die.

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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.

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# MINNESOTA STATE SENATE

## Senate Members — 1988 Session

PARTY	PHONE	SENATOR	ROOM*	DIST.	PARTY	PHONE	SENATOR	ROOM*	DIST.
DFL	296-5981	Adkins, Betty A.	235 Cap.	22	IR	5655	Larson, Cal	145 SOB	10
IR	6455	Anderson, Don	153 SOB	12	DFL	296-4136	Lessard, Bob	111 Cap.	3
DFL	5713	Beckman, Tracy L.	G-10 Cap.	29	DFL	8869	Luther, William P.	205 Cap.	47
IR	5975	Belanger, William V., Jr.	107 SOB	41	DFL	5645	Marty, John J.	235 Cap.	63
IR	3903	Benson, Duane D.	147 SOB	32	IR	1279	McQuaid, Phyllis W.	135 SOB	44
DFL	5094	Berg, Charles A.	328 Cap.	11	IR	8075	Mehrkens, Lyle G.	127 SOB	26
DFL	4261	Berglin, Linda	G-29 Cap.	60	DFL	4154	Merriam, Gene	122 Cap.	49
IR	4131	Bernhagen, John	113 SOB	21	DFL	4370	Metzen, James	303 Cap.	39
DFL	2084	Bertram, Joe Sr.	323 Cap.	16	DFL	4264	Moe, Donald M.	309 Cap.	65
DFL	4837	Brandl, John E.	306 Cap.	62	DFL	2577	Moe, Roger D.	208 Cap.	2
IR	4848	Brataas, Nancy	139 SOB	33	DFL	5649	Morse, Steven	G-24 Cap.	34
DFL	4182	Chmielewski, Florian	325 Cap.	14	DFL	4334	Novak, Steven G.	301 Cap.	52
DFL	5931	Cohen, Richard J.	G-27 Cap.	64	IR	1282	Olson, Gen	133 SOB	43
DFL	5003	Dahl, Gregory L.	111 Cap.	50	DFL	4241	Pehler, James C.	G-9 Cap.	17
DFL	2302	Davis, Charles R.	G-24 Cap.	18	DFL	4274	Peterson, Donna C.	G-24 Cap.	61
IR	0415	Decker, Bob	151 SOB	4	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"	326 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	G-28 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	3205	Langseth, Keith	G-24 Cap.	9					
DFL	8017	Lantry, Marilyn M.	328 Cap.	67					

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